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Selections.

ELECTION OF '44 — LIBERIA — LETTER FROM JAMES G. BIRNEY.

CINCINNATI, Monday, Feb. 9, 1852.

To the Editors of the N. Y. Tribune:

THE report of my death, as published in *The Tribune* and other papers, I do not at all attribute to any unfriendly motive. It probably originated from the fact that a gentleman of nearly the same name as mine (James G. Barney) died not long ago in Lower Saginaw.

The circumstances under which you express your opinion of me, relieve it from any suspicion of insincerity. It is founded entirely on the course which I and others who voted for me, thought it right to pursue in the Presidential election of 1844. You find fault that we did not so shape it that Mr. Clay would have been elected, instead of Mr. Polk. This would suit equally well a partizan of the other side, for I am unaware of any reason why the Democratic party had not the same right with the Whig party—for neither of them were supposed to have any affinity with the Liberty Party—to ask us to lay down our principles and vote for them.

It so happened that at the time alluded to, I was made the *representative* of opinions deemed of much more importance to the country than either the election of Mr. Polk or Mr. Clay. It gives me much pleasure, too, on looking back, to see that I maintained them, though many efforts were made to show that I was altogether unworthy the vote of any honest and reputable man.

You are much mistaken, as it appears to me, in supposing that the *consequences* of Mr. Clay's election would have been so much more favourable to the cause of the country, than what we now see. In saying so, I do not forget that I ought to make a large allowance for the warm party-man, who often suffers his passions, and his devotion to an individual, to get the better of his judgment.

I am fully inclined to admit, had Mr. Clay been elected, that the *circumstances* of the country might have been very different from what they are now, for it is nothing more than a fair inference from the fact that two different minds would have managed its affairs; yet I entertain the belief that it is quite likely there would have been no substantial change for the better.

It was Mr. Clay's *indecision* about the admission of Texas that defeated him. Had he been decidedly in favour of the admission, as Mr. Polk was from the beginning, he would have neutralized all the advantages that Mr. P. could have claimed from that circumstance. As to this matter, he would have put the Democratic and Whig parties on an equality. And as he was unquestionably a much abler man than Mr. Polk, and could bring his measures more successfully to pass—and on that account, as I thought and expressed myself, the more dangerous—he would have been elected. His different letters on this subject showed indecision: and even if they were not so intended, they made many of his friends believe that he was undecided. From his supposed wavering on this subject—and you know that the election was made to turn on it, more than on any other—he lost the vote of many that were opposed to the admission of Texas, as well as those who were in favour of it. That in either event Texas would have been in the Union appears very certain to me, as I believe it does to most others—though a decided party-man might express himself differently.

Soon after the election—for I could not get it before—I published evidence to show the utter groundlessness of the charges brought against me. I did this mainly for the satisfaction of those who had voted for me—to show them that they had not misplaced their confidence. As far as I know, this produced a thorough conviction in their minds that I had been wrongfully traduced, and that nothing but my persistence—my obstinacy, perhaps, you would call it—brought the canvass to the favourable termination which many thought it had.

In making these charges, *The Tribune* was conspicuous; yet I am unaware that any correction of misstatements was ever made by it.

It is far from my intention to open anew the discussion of old matters that I trusted disturbed no one. I have only given my opinion on a subject that you yourself have introduced, and made the foundation of your remarks.

Having no expectation that you will *now* attend to evidence that you disregarded when the thing to which it applied was fresh, I do not ask you to do so.

While I acknowledge your right to express your opinion, and, should you see fit, to express it in a very decided tone, I must content myself with an utter denial of all your charges calculated in the slightest manner to impeach my integrity in the Canvass of 1844. Here I must leave it.

You have thought proper to refer to a pamphlet I have published here, containing my counsel to the Free Coloured people to emigrate to Liberia. The propriety of this course I attempt to strengthen by showing the condition of our country, from which they have but little to hope. I examined a decision of the Supreme Court of the United States (supposed to be unconstitutional), but coincident with the views held by a large majority of our countrymen. The last part of it is taken up chiefly with an account of the continued and growing persecutions of the Free Coloured people—and certainly, for these Christianized and civilized times, they are the most persecuted people on earth—and ending with the opinion that the best way to avoid these persecutions is to remove to Liberia. Of course, they can follow the advice or not, according to their discretion, for nothing compulsory is intended. But one of the most mournful things that I see, and one against which we will always, I fear, have to contend, is the very low standard of liberty which the Free Coloured people, *as a class*, have set up for themselves. They seem to content themselves with what no white man would endure—and to be on the advance when even a dull observer sees the iron walls of their now narrow apartment drawing closer every day.

I regard consistency, as it is generally understood, as of little worth; consistency in error as actually injurious. If I entertained a wrong opinion in relation to the Free Coloured people—or, indeed, on any subject—I would not hesitate to abandon it. Truth is the only thing which ought to be desirable to man—the only thing that can benefit him—his only sovereign.

I am unconscious of having changed any opinion which I formerly entertained on this subject, although "newspaper reports" have said so. I have the same opinion that I have had for many years about the *principles* that gave birth to the Colonisation Society, and which now finds vent in that institution. But I make a wide distinction between them and emigration or removal to Liberia. I would not commend them, and to get away from their pressure, I advise the Free Coloured people as I have done. Had the facts on which my opinion now is founded been as fully developed formerly as I think they are now, I would have offered them the same counsel.

While I hold myself bound at all times to acknowledge and correct any material misstatement of facts or unsoundness of argument, or inference contained in the pamphlet, I must forbear to answer anything that applies to me individually, and that is foreign from it. I may be as bad as your words would represent me, yet my arguments for a particular course may be good. Should you think them so, or as adding anything to the reasons that have made you favourable to Liberian emigration, I will not permit myself to doubt that you will give them the aid you think best. I ask it for the coloured people if not for myself. Respectfully, JAMES G. BIRNEY.

Remarks by the Editor of The Tribune.

Mr. Birney labours to forget that his position in 1844, deliberately taken and reiterated, was that *the Annexation of Texas was* MORE *likely to take place if Mr. Clay should be chosen President than if Mr. Polk should be.* That was an assertion which the facts did not warrant, and which events have since disproved. We submit that, judging from this letter, Mr. Birney does not now believe what he uttered in 1844.

Mr. Birney would seem desirous to make this issue with us—that we remember with indignation his course in 1844 because he persisted in running against Mr. Clay, and so secured a triumph to Polk. But that is not the case. We complain that, being himself a candidate for President at that time, he had not the decency to abstain from public and gross misrepresentations of the position and views of a rival candidate, whereby that candidate was defeated and the Country irreparably injured. He might have been ever so steady a 'representative' of his own party's opinions with impunity; but we protest against his standing forth a representative of Mr. Clay's opinions also.

—Mr. Birney does not see why the Democratic party of 1844 had not as good a right to his sympathy as the Whig. Of course not! The only essential difference is this—the Democratic party was fully, publicly, undeniably committed to the Annexation of Texas, which measure had been plotted and matured by Calhoun, Upshur, Tyler & Co., undisguisedly for the extension and fortification of the Slave Power in our Union. General Hamilton commended it to South Carolina as a measure that would give a 'Gibraltar to the South;' and South Carolina, *for that cause*, went unanimously for Polk—a man she always despised. The slaveholders throughout the Union went for Polk on that ground, giving him every State South of North Carolina and Tennessee. The Whigs as a party *opposed* the Annexation of Texas; Mr. Clay, their candidate for President, opposed it. He did not, indeed, maintain that he would, under all conceivable circumstances, persist in his opposition; but he *did*, very clearly and fairly, place that opposition on grounds which could not have been obviated without satisfying the Anti-Slavery sentiment of the country in the conditions of Annexation. We do most undoubtingly believe, therefore, that if Mr. Clay had been elected, no *such* Annexation as *was* effected *could* have been—no Annexation that would not have secured the larger part of the Texan territory to Freedom; and that the War on Mexico subsequently waged would have been impossible under Mr. Clay's Presidency; because the preposterous pretensions to the Rio Grande boundary which incited it would never have been set up.

—Mr. Birney affects to make "large allowance for the warm party man." We wave the allowance, and beg leave to set forth our opinion that no men ever more clearly sacrificed their essential principles to their party organization than did Messrs. Birney & Co., in 1844. Had they been as unflinchingly faithful to their cause as South Carolina and the slave-traders were to theirs, the election of that year would have resulted in a substantial Anti-Slavery instead of a disastrous and far-reaching pro-Slavery triumph.

—Mr. Birney talks loudly of "misstatements" of his course by *The Tribune*, but specifies none. That his "persistence" in misrepresenting Mr. Clay's views and position was among the potential causes of Polk's election we have always maintained; and, if that is deemed a "favourable termination" of the canvass, we have always given him the credit of doing his utmost to produce it.

—We have no more desire than Mr. Birney to revive all the details of the canvass of 1844. The essential facts are already generally known, and the public judgment thereon has been made up. Messrs. Birney & Co. defeated the Whig party in 1844, but in so doing they ruined their own. There has never since been a day when that party could have polled the vote in our State which it did in 1843. And it had very generally lost ground in the country before it was merged into the new and broader "Free Soil" organization. Men whose loathing of Slavery was deepest, recoiled from that party when they saw it used to facilitate the triumphs and extend the conquests of Slave Power. And they did right.

—Mr. Birney's Colonisation views do not demand any comments from us. The only thing remarkable about them is the mistaken presumption that they are original or peculiar. We consider them in the main very nearly correct.

THE following letter from the Rev. Albert Barnes, to Dr. Aiken, of Cleveland, Ohio, was recently published in the *True Democrat*. It will be read with sincere regret by may who have counted upon Mr. Barnes as one of the few among the clergy who thought it better, and wiser, and more Christ-like to have a Church pure, even if it were not powerful in numbers and influence—who would, if they could, do away with sin, let what might happen to the organization:

REV. DEAR SIR—Your letter of the 1st inst. was duly received, but I have not found time before this to attempt a reply. In that letter to me you state that a "strong effort is now being made at the west, particularly in your region, to draw off our Churches from the New School General Assembly, and attach them to what is called the Free Synod of Ohio." And you say also that an opinion which I have expressed in my work on Slavery, is quoted with reference to the propriety of such a separation. The sentiment is this: "It is for the Christian Church to cease all connection with Slavery;" and you ask me whether it is "my opinion that our Churches should withdraw from all connection with the Assembly on account of its relation to Slavery."

In reply to this, I would say, in one word, that I do not; and that, so far as I am concerned, I never contemplated any such movement, or designed to countenance it in others. Nor did I intend to express any such opinion, or to express myself so as to justify any such construction in the passage which you have quoted from my book on Slavery. I did intend to affirm that I regarded it as the duty of the Christian Church to remove Slavery as soon as possible from its bounds, and to cease, in that manner, to have any connection with it, or to do anything to sustain it: and I did, and do believe that if all the Churches in the country would do in this case as the Quakers have done by *detaching** themselves from it, the time would not be far distant when it would cease in the land. I may be right or wrong in that opinion, but that is my opinion, and this, I think, is an object that should be aimed at. But I have never supposed, that in order to do that, it was necessary for the opponents of Slavery to separate themselves from our Church, nor do I believe that the object would be essentially advanced by such an act. So far as I am concerned, the fact that I remain in connection with the Presbyterian Church, is a sufficient indication of my opinion on the subject. I will add, also, that so far from seeing any reason for separating from the Church, I am becoming increasingly attached to it, and believe that it is destined to accomplish a great work in the land.

I am not so vain, I trust, as to suppose my conduct or opinions can be of any great consequence to others, or that others will be materially influenced by them; but as you have *asked* my opinion in the case, it seems but reasonable and just that I should state to you some of the *reasons* which influence my own mind. They are reasons for retaining our present connection with the General Assembly.

On the subject of Slavery our Church is incomparably in advance of any other great religious denomination in this country. We have made it practicable to discuss it in our General Assembly to any extent we may think it desirable, and with a kind and fraternal spirit; we are at perfect freedom to adopt any measures which may be deemed necessary to lessen or remove the evil; we have condemned Slavery in the strongest terms. The resolutions of 1818 have never been repealed, discarded, or disowned; and we have in recent assemblies made continued progress, and given utterance to sentiments entirely in advance of any which have been expressed by any other large body of Christians. Our position is very well understood in these respects by the world; and no one can show that in any proper sense *our Church is pro-Slavery.*

It is not necessary to separate ourselves from the General Assembly, in order that we may freely express our sentiments, and bear a faithful testimony against Slavery or any other evil. I am sure that I have never felt myself cramped in that respect, nor do I see how I could have more liberty, in making my sentiments known, if I was connected with any other Church, or no Church at all. I think it is a commonly understood matter among us—certainly at the North—that there is nothing to hinder us in giving free expression to our views, and in having our position understood by the world, and in exerting all the influence we can in regard to this or any other evil. I have felt, for one, that there was no danger that my own sentiments in the matter would not be understood, or that there was anything to prevent me from exerting any influence which I may possess in removing the evil from the land. I think that the real views of any man in the Church on this subject, may be known as far as he can make them known at all, and that they will have all the influence to which they are fairly entitled. I am sure that I understand the sentiments of our brethren on this subject as well as I do those of the Free Synod of Ohio, and for aught I can see, they are adapted, in their present connection, to be as honest a testimony against Slavery, and to accomplish as much in removing it, as they could in that connection.

I think it would *lessen* our influence on the subject to withdraw from the General Assembly. So far as I can see, it must have this result. We are connected with a large body that is to be, and that may be influenced by argument, and by the decided opinions and growing convictions of its own members. We are making progress. The number of those opposed to Slavery is increasing, and is destined to increase. If all the opponents of Slavery were to withdraw and form new organizations, I see not how the spirit which we hope will pervade the whole body, could be diffused through it. I may be wrong, but it seems to me, that I am in a better position to influence the Church by being IN it, than I would be to be out of it; and that, by the very fact of my withdrawing from it, I should materially lessen my influence over those that remain.

As it is, I do not feel responsible for the Slavery which may be in our connection. I fully concur, on this point, with the sentiments expressed in your letter: "I have this feeling in regard to it because (a) I do nothing to sustain it; (b) I utter no opinion in favour of it: (c) I express myself freely against the whole system: (d) whatever influence I have, private and public, is against it, and is understood to be against it; and (e) I intend that this shall always be so. I do nothing more to sustain Slavery in any of its forms or influences, than I do to sustain the business of manufacture and sale of ardent spirits, and contribute no more to uphold Slavery than I do intemperance. Nor do I feel that in my present position I shall ever do any more to sustain the one than the other. I will sustain neither in any way, and I am not required to by my connection with the Church.

In my judgment, the *principle* involved in separating from the General Assembly on account of Slavery in the Church, would demand, if consistently applied, that I should separate from a Church on account of *any* sin, and would make it improper to remain in a Church that was not *wholly* free from all forms of sin. What should I do, with my views, in reference to the manufacture and sale of ardent spirits by some members of the Church? Why should I not also say, that the Church sustains that, and therefore I cannot remain in its communion? What should I do in regard to "covetousness which is idolatry?" In short, I do not see but the *principle* which would require me to separate from the General Assembly, because there is Slavery in the Church, would extend to all forms of sin in the Church, and if I endeavoured to carry it out, in *what Church* should I find rest for the soles of my feet? It has not been my happiness as yet to be acquainted with a Church which I could regard as in all respects perfectly free from sin.

And, once more, the *effect* of this principle, I think, would be to lead to the formation of a great number of very small Churches, each one liable to become smaller by new divisions on moral questions, or by the fact that one portion of the members would regard others as not coming up to their standard of perfection. The spirit of division once begun on the Slavery question, I apprehend would not stop with that, but would extend to a great many other points, and lead to the formation of a great many other Churches based on ONE IDEA.

These are some of the reasons which influence me in my determination NOT to separate from the General Assembly. They are not expressed as carefully and as fully as would be desirable, but if you can make any use of them in preserving the unity of our Church, it would be a matter of great gratification and thankfulness, for I think one of the greatest calamities that could befall this land, would be the breaking up of the Church with which we are connected. I am very sincerely,

And respectfully, yours,
ALBERT BARNES.

Rev. S. C. AIKEN, D. D.

** See Barnes on Slavery, the history of emancipation among the Quakers, pp. 332-3.*

WHO IS ALBERTI?—SHOULD HE HAVE BEEN PARDONED?

THE recent pardon of George F. Alberti by Gov. Bigler has drawn forth indignant comment from a large number of the papers of the State. The *Lancaster Examiner* is one of the very few which, we have observed, are perfectly passive under the outrage. The *Harrisburg Union* of a recent date undertook to give the facts of the case, and thus justify Mr. Bigler's action. That statement induced us to examine more fully for ourselves, and we now give the public *all* the facts as we find them reported in Parsons' Equity Cases, vol. 2, pages 495-98. We ask the attention of our readers to this statement of the facts in the case:

"The bill of indictment charged George Alberti, James F. Price, and J. S. Mitchell, with the kidnapping of one Joel Henry Thompson, a free male negro child, with the design and intention of selling him into Slavery, as a slave for life, in the town of Elkton, and the State of Maryland. Such was the first count. There were nine counts in the indictment, charging the offence in various ways, and also a count for a conspiracy to entice the child away and sell him into Slavery. It is unnecessary, in the report of the case, to set forth at length the indictment, as the main points which arose on the trial will be fully comprehended from a brief statement of the facts and the charge of the Court.

"There were various questions as to the admissibility of testimony which arose on the trial of the cause, none of which it is deemed of sufficient importance to state in the report.

"The abduction of the child was proved to have taken place on the 14th of August, 1850, in the county of Philadelphia, without any form of law being observed for the arrest of the mother of the child.

"The facts of the case were briefly these: One William Thompson married a coloured woman in Wilmington, in the year 1845; and immediately after, they removed to this part of the country. By her he had two children; the one that was the subject of this indictment was a year and nine months old, and was born in New Jersey.

"In August, 1850, Thompson, with his wife and child, were living near Burlington, when Price, one of the defendants, came to the house of Thompson, on a gunnig excursion, as he pretended; the parties were acquainted, and had been for some time before. Price was treated kindly and hospitably by Thompson and his wife while with them. Before he left, he invited the wife of Thompson to come and see himself and family when she came down to market the next week, and urged her strongly to bring with her the child, saying that his wife desired very much to see the child, and she must be sure to bring the little boy with her. The woman on the following Wednesday went to market at Philadelphia, and took the child with her. She did not return home. On Friday the husband became alarmed lest something had happened, and came to the city in pursuit of her. He went immediately to the house of Price and inquired for his wife. He was informed by Price that she ate breakfast at his house on the previous morning, and that he had not seen her since. It was proved by a number of the neighbours of Price that they saw a coloured woman and child, answering the description of the wife of Thompson, at the house of Price a day or two before she was missing.

"One witness testified that Price and his wife said she was the wife of Thompson. Price was seen to go down an alley with the woman and child, and finally seen to take them both to the house of Alberti. Alberti then employed a man to drive a carriage with a coloured woman and child to Wilmington—alleging that she had robbed her master, and he wished to return her there.

"It was proved that the woman and child were at the house of Alberti most of the day after she was brought there by Price, and that Alberti said she had made some resistance, but he had quieted her with a "billy," and that there was a bruise on the head of the woman, as if caused by a blow.

"About four o'clock in the afternoon, on the 14th of August, Alberti took the woman and child to the carriage, in company with a young man, his assistant, when the driver started with them, as he supposed, for the State of Delaware. And when they arrived at Wilmington, the driver of the carriage supposed they were at the end of their journey; but Alberti directed him to drive on, and about eleven o'clock they stopped some miles below Wilmington, where they stayed all night, when the driver testified that for the first time, he learned the woman was being carried off as an alleged slave, and she appealed to him for protection for herself and child. But he said he thought it was not in his power to protect her, and drove them on to Elkton, Maryland.

"Then they stopped at a public house, when Alberti went into the country and brought a man by the name of Mitchell, one of the defendants in the bill of indictment, but was not on trial, who, when he saw the woman, exclaimed, "We have got you, you black bitch, at last."

"The woman appealed to the driver, and begged that he would take the child back to its father, and claimed of Mitchell that he should let the child be sent back. But he refused; said he would keep the child, and send her to the Georgia market for sale. It was also proved that Alberti said he was to have for his trouble one-half the mother and child brought, and that they were sold for one thousand dollars. Price said he got seventy five dollars for bringing the woman and the child to the city.

"There was no legal proof that the woman was a slave, or that Mitchell was the owner, or that Alberti had any power of attorney or authority to arrest and remove the woman.

"The defendants proved that when the woman was at the house of Alberti, he called in Alderman Allen, who made some order about her removal; and the lawyer whom Alberti had at his house with the alderman, told Alberti the child was free, and that he had no right to take it. The woman begged, if they insisted on taking her, that Alberti should wait till her husband could be sent for, in order that he might come and take the child; but this Alberti refused. He offered to let her leave the child with him; but this she refused to do, upon the ground that she feared he would keep him till grown up, and sell the boy as a slave. This is a general outline of the facts."

The case was fully investigated for several days and committed to the Jury after the following charge from the Court, which we find in the same volume on pages 498-502:

PARSONS, Judge, charged the jury in substance as follows:

The decision of this cause is of great importance, when considered in its effect upon the liberty of our coloured population. It is of still greater importance when we reflect upon the great question which has recently agitated the people of the United States, relative to the extradition of persons of colour, claimed as fugitives from labour. In the argument of counsel, it has not improperly been styled a national question. It is so, at least, as it may affect the minds of the community in relation to the rights of the owners of slaves, and on our decision affording proper legal protection to the coloured race.

If such is the character of the cause, the Court and jury should approach its consideration with calm deliberation, and suffer no feelings of sympathy for persons of colour, who are legally held in bondage, to mislead our judgment, or divert the mind from the standard of right. We should also divest ourselves of any prejudice which may have found a lodgment in the heart, against the institution of Slavery being recognised by the laws of some States in the Union, and those of the general government.

The right of citizens to hold negroes in bondage for life, in many of the States in the Union, is recognised by the fundamental law of the nation. It is a law we are all bound to respect and obey; no matter what may be our individual opinions upon the subject of *Slavery*. The *Constitution*, and the Acts of Congress passed in pursuance of it, must be enforced in the State Courts, when a question relative thereto arises in them, and it is your duty, as jurors, to regard the law of the nation as much as an Act of Assembly of our own State.

When a slave has escaped from his master, under the general law of the United States, the owner or his authorized agent, has a right to pursue the fugitive, and capture him wherever he can be found; and no one should obstruct the owner in the exercise of his right, because the law has given him authority for the recapture of the fugitive, and all interference by strangers, is a violation of law.

But when the owner of a slave comes into a free State to regain his property, he must do it in a legal manner. There are three ways in which this can be done. The owner can come to the place where he finds his slave and arrest him; it should be done in a peaceable manner, simply using all the force necessary for the purpose; and remove the slave to his domicil, which no one has a right to resist him in so doing. If the ownership of the alleged slave is doubted, it can always be tried before a legal tribunal. So if the master does not desire to come in person to recapture his slave, he can delegate his power to a regularly constituted agent, who can arrest the fugitive in the same way. When this is done, the agent must see that his authority is full and clear, and should be able to show, by competent proof, that such delegation of authority is complete.

But the most efficient and satisfactory way of reclaiming a fugitive is under the Act of Congress, by an application to a judge of the United States Court or commissioner appointed by that tribunal, where proof is made of the ownership of the slave, and where the person arrested has the right to controvert the facts, and show that he is a freeman. If it be established, and the proof is satisfactory to the judge or commissioner, that the individual arrested is a slave of the claimant, then an order is made for his removal. But no one has a right to remove a coloured person from this State, on the allegation that he is a slave, except it is legally done, under the constitution and the Acts of Congress. And he who attempts it with the intention of selling the negro as a slave for life, or for years, is amenable to the criminal laws of this State.

It is a peculiar feature in this case, that we have no legal evidence that the wife of Thompson, the mother of the child, was a slave; none on which a judge or commissioner would order a removal. There is no proof which would authorize a slaveholder to arrest her, none to show that Alberti or Price had the *least authority* to apprehend her. But the defendants are not indicted for the kidnapping and removal of her. It is for removing the child to Maryland, with the intention of selling him into bondage, and then actually selling him, that constitutes the offence with which they are charged, and it is the crime you are to pass upon. Had the defendants proved (which they have not done) that the mother was a slave for life, under the laws of Pennsylvania the child was *free*. For it was decided in the case of the commonwealth v. Holloway, 2 S. & R. 305, by Chief Justice Tilghman, that "Birth in Pennsylvania gives freedom to the child of a slave who had absconded from another State before she became pregnant." This child had breathed the pure air of freedom, and no human power could legally remove it to inhale another atmosphere, that of Slavery.

But had it been shown that the mother was a slave, these prisoners had no authority to remove her; nor if she was a slave, could they take the child. Nay, had she even begged and prayed those who were removing her, to take her child along with her, and sell it into Slavery. *It was a freeman*; and while it is our duty to give all legal and proper aid to the master to enable him to remove his slave, our law does not suffer him to take one that is *free born*, even if it severs the fond ties of a mother's love for her child, and tears asunder all the tender affections of the human heart. Our law speaks in the spirit of England's accomplished poet:

"Take then thy bond, take then thy pound of flesh,
Shed thou no blood; nor cut thou less, nor more,
But just a pound of flesh."

Take your slave, but her infant boy, born in freedom's land, you cannot take, even to answer a mother's prayer, or to stifle the sobbings of her breaking heart.

If the jury believe the child was not a slave, or was a free coloured person, and he was taken by the prisoners with an intention of selling him into Slavery, it is a violation of our Act of Assembly, passed in 1847. This Act provides, "that if any person or persons shall by force or violence take and carry away, or cause to be taken or carried away; and shall by fraud or false pretence entice or cause to be enticed, or shall attempt to take, carry away, or entice, any free negro or mulatto, from any part or parts of this Commonwealth, to any other place or places whatsoever, out of this Commonwealth, with a design or intention of selling, or causing to be kept and detained, such free negro or mulatto as a slave or servant for life, or for any term whatsoever, every such person or persons, his or their aiders and abettors, shall be deemed guilty of a high misdemeanour, and on conviction, &c." Your first inquiry under this Act of Assembly, and the evidence will be, was this boy a free coloured person? If we regard the solemn decision of the Supreme Court of the State, we are bound to instruct you that he was *free born*, and in the language of the law a "*free negro*." For there is no evidence that his mother or father were ever slaves. He was born in a State where freedom is recognised. He was in Pennsylvania, where in a case like the present he could not be called a *slave*, but was a "free negro." Was he taken away by force and violence? If the evidence is believed, he was. No consent could be given by him. Both mother and child were by the most brutal violence taken against their will, and carried off. Was this done with the design and intention of selling the boy as a "servant for life, or for any term whatsover" in the language of the law? The proof is that Alberti said, that the mother and child were sold for one thousand dollars, and he got the one-half, and that Price said he got seveny-five dollars for bringing the mother and child to Alberti for that purpose. On the facts adduced upon the trial, you will decide upon the intention of these defendants, in their connection with the affair.

This law would be violated under the following circumstances. If a free negro is carried out of the State by force and violence with the design and intention of selling and disposing of him or causing him to be sold, or to be kept and detained as a servant of life or any term whatsoever. So if by fraud or false pretences a negro is enticed or caused to be enticed away for the purposes above mentioned, then the crime is complete. So if one shall attempt so to take, carry away or entice any free negro or mulatto from any part of this Commonwealth with the design and intention of selling and disposing of, or causing to be sold or kept any such free negro or mulatto, for the purpose of making him a slave or servant for life, or for any other term whatsoever, then under such a state of facts the law is violated.

This indictment charges the offence in the various forms mentioned in the Act of Assembly, and it is for you to determine under the evidence that has been adduced whether the law has been violated. The Court have presented a brief outline of the facts. They are all fresh within your recollection, and we have given what is conceived to be a correct exposition of the law, and a fair and legitimate construction of the Act of Assembly, and we leave the cause for the consideration of the jury.

No prejudice against Slavery should have the least influence upon your minds, whatever may be your personal views as to the propriety of this institution in our government. The authority to hold slaves is a part of the law of the Union, and we have no right to disregard it. While it is equally clear, unless a negro is a slave for life, no human being has any right to sell him into bondage or attempt to make him a slave for life. While Slavery is tolerated by law, the kidnapping of free negroes is equally abhorred by the law, and the better feelings of humanity, both in the slaveholding and nonslaveholding States. Before any one can be held as a servant for life, it must be clearly shown that he is a slave. Before a negro can be removed from the soil of Pennsylvania against his will, it must be clearly established that he is in *law a slave*. If that is not shown, and a negro is removed against his will, and by any of the means pointed out by the Act of Assembly of 1847, and with the design therein expressed, then he who causes it becomes a violator of the law, and his acts are made criminal.

The Jury returned a verdict of guilty and on the 22d of March, 1851, Alberti and Price were sentenced to the Penitentiary, the former for ten, the latter for eight years. In sentencing them, Judge Parsons made the following remarks:

"You, George F. Alberti and J. Frisby Price, have been convicted of the crime of kidnapping—an offence made highly penal under the act of Assembly of 1847. If there is any crime in the black catalogue that deserves to rank second to murder, it is this; and while the people of this city and State, and I trust the country at large, will always respect the rights of the South in their property in slaves, we are bound to respect the rights of our free coloured population, and to protect them in their freedom. I can imagine nothing more revolting to the feelings of humanity than to steal human beings and sell them into bondage. Look at the present case—here was a woman, who whether a slave or not it does not matter—though I will say that she was taken away without any colour of authority, and it you had been upon trial for that offence I should have felt bound under the testimony to have charged the jury to convict—who was decoyed from her home, and her infant, born free, carried into another State, and there sold into bondage It was an offence which admits of no excuse, and at which humanity shudders. As for you, Price, I believe you were the tool of Alberti. He used you to accomplish what he could not effect himself. You decoyed her from her home, and took her to the house of Alberti. While both of you are in your lonely cells, I would have you reflect upon the condition of the poor child now groaning under the galling chains of Slavery, placed upon it by your hands—think of the offence you have committed against God and man, and remember that you will appear before a higher tribunal to answer. For the offence of which you have been convicted, George F. Alberti, the sentence is that you pay a fine of $1,000, and undergo an imprisonment of ten years in the Eastern Penitentiary. The sentence of you, J. Frisby Price, is that you pay a fine of $700, and undergo an imprisonment of eight years in the Eastern Penitentiary."

We present all the facts in this case, that our readers may understand the character of the man whom Gov. Bigler has turned loose upon society—a man who decoyed a woman from her home, her husband and her friends—who drove her into hopeless Slavery without giving her the shadow of a trial for her liberty—who took with him and sold into Slavery a child born in a free State—who desolated a household by separating husband and wife and parents and children—who brutally treated the weak when in his power and who received as his wages one half of the purchase money which these two human beings brought in a distant slave market! Such is the man whom Wm. Bigler has released from prison and who now stands before the world unpunished for the most heartless violation of the most sacred of rights. Gov. Bigler is seeking notoriety. He will surely find it, for that man will not long be unknown who outstretches the arm of Executive clemency to draw forth from the prison cell a hardened offender whose heart has been seared by age and whose last offence was the darkest of a long catalogue of crimes.

Gov. Bigler we suppose will be sustained by his own party. The Locofocos of Pennsylvania are as cowardly and slavish a race as ever breathed the atmosphere of freedom. They have no independence of thought, feeling or action, and they will but illustrate all their teaching in the past, if they quietly submit to this most shameful indignity.—*Lancaster (Pa.) Independent Whig.*

INSANITY AMONG THE COLOURED POPULATION OF THE FREE STATES.

BY E. JARVIS, M. D., Dorchester, Mass.

AN article in the last October number of the *Journal of Insanity*, endeavours to show an extraordinary disproportion of insanity and idiocy among the coloured people of the free States; and having, apparently, proved this, by quoting the statements of the national census of 1840, the writer significantly asks, "Who would believe, without the fact, in black and white before him, that *every fourteenth coloured person in the State of Maine is an idiot or a lunatic?*"

Here was an important qualification—"without the fact." Fortunately, that condition of belief is still wanting.

That article is founded on the deductions drawn from the statements of the census of 1840, which seem to be irresistible facts. They are so recorded and published in that document, which was prepared by the officers of our Government, and states on its own title page, that it is "Corrected at the Department of State," and "published by authority of an Act of Congress under the direction of the Secretary of State."

When this Report first appeared in 1841, it attracted the attention of a great many naturalists, physicians, political economists and others. Although the deductions were strange and unexpected, and almost incredible, still they seemed undeniable, and tables founded on them were published in the several journals and the newspapers, and in some of the Lunatic Hospital Reports.

Soon, however, they appeared to be so contrary to all previous experience and observation, that some were led to examine into the character of the authority on which the tables were founded, and discovered that the whole of the statements in reference to the disorders of the coloured race was a mere mass of error, and totally unworthy of credit.

The American Statistical Society, in 1842, first analyzed the census of 1840, and then prepared a long memorial to Congress. In their petition they set forth the errors, inconsistencies, contradictions and falsehoods of that document, and asked Congress to disavow the whole, and cause another and correct one to be prepared and published. This memorial was presented to both Houses of Congress, and referred to separate committees in each. The Senate printed the petition, and it is now to be found in the Senate documents of that session. It was also printed in *Hunt's Merchant's Magazine*, of New York, in February, 1845.

The *Philadelphia Journal of the Medical Sciences*, also, in 1844, published a review of the census, in as far as it related to the insanity among the coloured population, and refuted its statements as to this whole matter. A similar review and refutation was published in the *Boston Medical and Surgical Journal*, Nov. 30th, 1842. The Massachusetts Medical Society, in May, 1844, appointed a Committee to enquire into the facts in regard to this matter in that State. This committee made a thorough investigation, and reported the results in 1845. Their report shows that no such diseased coloured persons exist in most of the towns and families where the census stated them to be. The Society published this report in their transactions for the year 1845.

The refutation was complete and satisfactory. The errors of the census, and the thorough groundlessness of the theory of the preponderant liability of the free African, or coloured race, to insanity or defect of vision, hearing or voice, over the slave African, was demonstrated beyond all question. It was sent forth to the world through some of the leading journals of the country, channels so respectable that it was, not unreasonably, hoped it would be quoted and republished coextensively with the erroneous statement, and thus reach the eye and the conviction of all the people of the land, and set the falsehood forever at rest.

It is easy to refute these extraordinary and unphilosophical assertions of the census, by counter and contradicting statements of the same document.

The marshals were directed to enquire of each family the age, employments, health, &c., of all its members. These officers were furnished with blank books or sheets, ruled and divided into seventy-four parallel and vertical columns, in which they were to record so many varieties of answers in respect to the people. When the work was finished, the deputy-marshals were obliged to take a copy of the record of their work, and deposit it in the office of the district clerk of the State to which they respectively belonged. In these clerk's offices these returns were condensed into towns, and again copied. One copy was sent to Washington, and there the whole was digested and printed in the volumes which were distributed through the country.

In all these stages, in the primary record of each householder, and the condition of his family, in the sheets of the deputy-marshals; the same condensed into towns and counties in the clerk's offices; and the digest of the whole in towns, counties, States, and the nation at Washington; and, finally, the printed edition, there was the same form used, the seventy-four vertical and parallel columns, filled with the answers in respect to the people.

In the primary record, and in each succeeding transfer, there was a chance of error. The seventy-four columns were necessarily long and narrow, and the descriptive heading at the top was at a considerable distance from the place of entry of many of the items. It required much discipline, therefore, to follow with the eye any column from its title, at its head, to its place of entry below. There were ten columns appropriated to insanity or defects of sense, in the white and the coloured. It is easy to suppose, then, that one might mistake the proper column, and enter the coloured for the white, and the white for the coloured. This mistake might have been made by the marshal, when he made his first entry, and when he copied his work; again it might have been made by the amanuensis at the clerk's office, and by the copyist, and the printer at Washington. There were two editions printed, one by Blair and Rives, and the other by Thomas Allen. These were both liable to mistakes, and they might each commit a different error.

If all were perfectly correct, all these successive and cotemporaneous copies would be exactly alike. They would contain the same identical facts, agreeing in the minutest particular. But we find, on examination and comparison, that so many and so various mistakes have been made by all of these officials, from the first record to the last printed copy, that no two of them are exactly alike. Mathematically and specifically, they gave as many different versions of the same facts as there are reports. In some particulars, the original entry of the householders and families in Massachusetts tells one story, the condensed copy in the clerk's office, at Boston, tells another story, the printed edition of Blair and Rives at Washington, tells a third, and the edition of Thomas Allen gives a forth variation of the same facts.

These errors of statement seem to be the greatest in regard to the insanity of the coloured population of the Northern States. Fortunately, beside the disagreements of the several copies of the reports with each other, the document itself furnishes its own refutation. One statement contradicts another statement and shows its error.

The original record made by the deputy marshal of Worcester, Massachusetts, states that there were in the family of Samuel B. Woodward, in Worcester, one hundred and thirty-three coloured lunatics. But in another column, or set of columns, he states that there were no coloured persons at all in the said Samuel B. Woodward's family. Both of these assertions, that there were one hundred and thirty-three coloured lunatics, and that there were no coloured persons at all in Dr. Woodward's family, are copied into the record deposited in Boston, and these were incorporated into the condensed statement in respect to the town of Worcester, and they went through the all successive copies, and were both finally printed at Washington.

Another deputy-marshal states that there were four coloured pauper lunatics, and one coloured blind person in the family of Jacob Cushman, in the town of Plympton, in Massachusetts, while in another set of columns, he states that were no coloured persons at all in the family of Jacob Cushman. These contradictory statements, also, were both copied and condensed and entered into the final printed report.

The original detailed report of the town of Pepperell, in Massachusetts, states that there were fifteen *white* lunatics in the family of Charles C. Parker. The copyist, in his abstract, first made these fifteen to be *blind*, when perceiving his mistake, he drew his pen across this record, and then made them

have any coloured lunatics, with the exception of three, which were said, by the census, to be in the towns of Carver and Swansey. The result of their inquiries showed that there were only twenty persons during the whole of the year 1840, instead of one hundred and seventy-one persons stated in the marshal's manuscript records, or two hundred, as stated by the printed edition of Blair and Rives. The Medical Society ascertained these to have been in only eight towns, while the marshal's stated that they were in twenty-four towns, and Blair and Rives distributed them in thirty-eight towns. The original records of the marshals state that there were eighteen coloured lunatics who were supported by their own estates or by their friends; the edition of Blair and Rives made these to be twenty-seven; and the inquiry made by the Medical Society in Massachusetts, found no such lunatics in the towns or families in which the record or the document reported them to be.

That many of these were merely errors of record which placed the figures in the wrong column, is evident from the statement of the Medical Society Committee—"That many families which are recorded and reported as having *coloured* insane, or blind, or deaf and dumb persons, were found not only to have no such persons, but had *white* insane, blind, deaf and dumb persons, who were not so recorded and reported." So far as these go, they diminish the numbers of the white lunatics, and increase the coloured, as is remarkably seen in the mistake in regard to Dr. Woodward's family, in the hospital at Worcester.

It would be easy here to quote the names of every family in the State of Massachusetts, which, according to the record of the marshals, contained coloured insane, or blind, or deaf and dumb persons, and to designate which of these, according to the personal inquiries of the members of the Medical Society, contained none. But that will be unnecessary here, and those who wish to pursue the investigation more minutely in this direction, are referred to the "Transactions of the Massachusetts Medical Society, for 1845," appendix, p. 90 to 95. And if any doubts remain, it is hoped that the Medical Societies of other States will consult the records of the marshals deposited in the clerks' offices of their respective districts, and see how far these agree with the printed document, and also make further inquiries into the families where these coloured persons are said to be, and ascertain whether it was so or not in 1840.

It will now be sufficient to show the errors of the census in respect to lunacy, by its own contradictory statements, and thus convict it out of its own mouth. One page of the manuscript record of the marshals shows the number of coloured persons of all ages in each family, and another page of the same record states the number of these coloured persons who are insane, or blind, or deaf and dumb, in these several families. The condensed copies of these marshals' records in the district clerks' offices, and the printed editions of the census, contain similar statements of the whole number of coloured persons, and the number of these who were diseased in mind, or deprived of vision, hearing and voice, in the respective towns, counties and States.

We have now only to compare these two statements, which we quote from Blair and Rives' printed edition of the sixth census of the United States.

In these we find in a number of towns or districts of several States—

	Total col.	Col. lun.
In Maine,	8	70
New Hamshire,	4	13
Massachusetts,	157	150
Connecticut,	2	7
Vermont,	8	9
New York,	37	46
Ohio,	31	87
Indiana,	2	11
Illinois,	8	32
Pennsylvania,	31	50
Michigan,	1	14
	289	489

Thus making an aggregate of 489 coloured lunatics, residing within districts in which the whole coloured population amounted to 289.

As if this burden of mental disease, thus thrown by the National Census upon this ill-starred race, were not sufficient for their endurance or our credulity, this document multiplies their defects of sight and hearihg, and of speech, in a similar ratio, and presents a like disproportion of the deaf and dumb, and the blind, that it does of the insane among the coloured inhabitants of the northern States.

The statements of the Sixth Census of the United States, in respect to the white lunatics, are not corroborated by other authorities. Wherever the numbers of these have been sought by the State Governments, by societies, or by individuals, they have all come to very different conclusions from those of the National Documents.

There are also manifold contradictions and disagreements between the different parts of that Report in regard to other matters—employments, capital, education, &c., sufficient to throw a doubt over the credibility of the whole, and to cause men to hesitate in believing any of its statements unless substantiated by collateral or extraneous evidence.

But our present purpose being only to disabuse our readers' minds of any suspicion, that the coloured population of the free States are in any extraordinary degree liable to mental disorder, founded on the statements of the Sixth National Census; albeit, it vaunts itself as "published under the direction of the Secretary of State," and as "corrected at the Department of State," we have therefore, been contented with mainly showing the palpable contradictions of the Document itself.

Making such deductions from the numbers of the coloured people said to be insane, as the pages of the Census itself admit must be made, the apparent number of these lunatics is very materially diminished, and the extraordinary disproportion of insanity in this race, in their free condition, vanishes.

Thus among the 94 coloured lunatics and idiots, said to be in Maine, 70 are stated to be in towns which have only 8 coloured inhabitants. This of course, deducts 62 from the 94, and leaves only a possibility of 32 in the State.

In New Hampshire, 13 of the 19 coloured insane are in towns which contain only 4 coloured inhabitants. This reduces them to 10 at most.

The 79 coloured lunatics, according to the Census in Illinois, includes 32 in towns that have only 8 coloured people in them. This reduces the utmost numbers to 55 in that State.

The 165 in Ohio, include 87 which are distributed in towns which contain only 31 coloured persons. Making the necessary deduction, leaves only 108—two-thirds the number stated.

The 200 stated by the printed editions to be in Massachusetts, must be reduced to 171, which the Marshals recorded in their manuscript. These again must be diminished by 133 which are pretended to be found in Dr. Woodward's Hospital, where the same record says there were no coloured people. Again, we must deduct 7, which is the excess of the number of cases of lunacy over the number of coloured persons in the towns quoted in the table in this article. This leaves only 31 coloured lunatics in the State, which is the utmost that can be believed to be there, according to a complete analysis of the Census; and these are 15 more than the pauper returns showed to have been in the several towns in the State at the time.

These numerous statements of the cases of insanity in towns and families where there were no such persons to be disordered, will prepare us to doubt the other statements which assert that all, or almost all, or any large proportion of the coloured inhabitants were lunatics.

It is not enough that we make the deductions above proposed, and then believe that all the coloured people in many towns and counties, or that two-thirds, or one-half, or any considerable proportion of these persons in other towns, were insane. No man in his senses, at all conversant with diseases of the mind, will admit, that the 32 cases of insanity in Maine, the 10 in New Hampshire, or the 108 in Ohio, which may, possibly, have been subjects of disease, had in 1840 any certain existence. There is an extreme probability of an excess of statement here, as there was a certainty of it in the cases that we have been able to disprove. And we may fairly assume that the sixth census is not reliable authority in any matters of disease, and has furnished no ground for any opinion or theory as to the prevalence of lunacy or idiocy among the coloured people of the northern States, nor of the liability of this race to mental disorder.

It has seemed somewhat remarkable, that statements so glaringly false in themselves, so palpably contradictory to each other, so contrary to all common observations and experience, so unsupported by any analogies or even theories, should have been passibly acquiesced in by the people of this country, and especially by the naturalists, the physicians, and the statisticians of America. The Massachusetts Medical Society is the only association of physicians, or naturalists, that are known to us to have been so disturbed by these assertions as to pursue the inquiry into the same families, and ascertain them to be false. The American Statistical Association is the only philosophical, historical, or statistical society, that have inquired into it, and endeavoured to set the matter right before the people.

The matter was brought to the attention of the Secretary of State, in 1845, by one of the oldest and ablest statesmen in the country. The Secretary admitted the errors pointed out to him, and yet he thought it not worth while to take any public action to remedy it. Still the deductions drawn from these errors were adopted as grounds to sustain, to their extent, some measures of public nature. The subject was brought before both houses of Congress by able and influential members, and referred to committees in each body. But no further public action was taken, except that the Senate printed the memorial of the Statistical Association.

After all this indifference on the part of the public authorities who assumed the responsibility of this document, and the apathy and neglect on the part of the medical profession who ought to know and look after these things, and who should jealously watch over the reports of science and natural history of our country, it is not strange that the people believed these new statements—that newspaper writers, not familiar with nosological science, should repeat and publish these startling facts, and that the world should tremble at the very thought of the overwhelming power of lunacy upon the coloured race when left to itself, in the free States of this Union.

The scientific world rested much of its hopes upon the sixth census, and anticipated great advantage and light from the investigations and discoveries in this hitherto untrodden field. It was thought that so extensive inquiry would show the prevalence of several diseases and defects among several millions of people of different races, living in climates so various, and in conditions so opposite, as to indicate the comparative influence of these upon human health and power. But all such hopes are disappointed by a thorough examination of the document itself. There was such a want of competence and faithfulness on the part of some of those who prepared and published it, and its statements of some facts, were so gross, and its deductions so groundless, that so far from advancing the cause of truth, and knowledge, and science, it has put a stumbling-block in their way and retarded their progress.—*Friends' Review.*

National Anti-Slavery Standard.

*** *All communications for the paper, and letters relating to its pecuniary concerns should be addressed to* SYDNEY HOWARD GAY, *New-York.*

†† *Donations to the Treasury of the* AMERICAN ANTI-SLAVERY SOCIETY *may be forwarded to* FRANCIS JACKSON, *Treasurer, at Boston; or to* SYDNEY HOWARD GAY, *New-York.*

NEW YORK, THURSDAY, FEBRUARY 26, 1852.

COLONISATION.

THE American people enjoy the general reputation of being sharp-sighted and unscrupulous, wherever they think their interests are concerned. No nation gets such a general reputation for lubricity and cunning as the Universal Yankee one possesses, without deserving it in some good degree. What all the world says, of nations as well as of individuals, is very apt to be at least half true, if not a little more. Like other cunning people, to be sure, we are apt to over-reach ourselves and to be overtaken in our own craftiness. But to our own notions of our interests we seldom, if ever, fail to be true. And none the less selfishly so when we think it best to wrap up our designs in the folds of saintseeming hypocrisy. The devil is never so dangerous as when disguised as an angel of light, and a Yankee is ever most mischievous when he assumes the garb of humanity and religion. These disguises, indeed, are as material to our success in our business as is the knowledge of tongues to a merchant in the foreign trade. The concealment of our ideas being the chief end for which speech and action are employed, there is no time when an American needs to be looked after more closely than when he sets up goodness as the sign under which his business is to be carried on.

This trait of our national character was never more fully displayed than in the conception and growth of the Colonisation Scheme. Assuming that Slavery is a good thing for us, as a means of creating wealth, its safety and comfort were proper things to be seen to. Of course, our premises were false; but that is nothing to the purpose. All we are considering is the fitness of our means to the ends we thought desirable to compass. The near presence of the Free Coloured people was ever a source of annoyance and apprehension to the Slaveholders. It was not agreeable to the bulk of the Northern people, because it was a perpetual reminder to them of the injustice of their fathers. It was, therefore, a problem of no mean interest, the question of what should be done with them. They were increasing and multiplying. The apparent unavoidableness of the evil had made men accommodate themselves, in some degree, to it, and the condition of the Free Blacks throughout the country, but especially in the region of Slavery and its borders, was certainly better than it is now, before Colonisation was. But a Demand is sure to create a Supply. If a thing is to be done, there will never be wanting inventors or contractors to contrive and to carry into effect the means of doing it. A method of disposing of the Free People of Colour, and of such Slaves as rendered themselves formidable to their masters by their intelligence and ability, was desired and, obedient to the wish, the Colonisation Society sprung into existence.

Like its Father, the Devil, it was a Liar from the beginning. It professed, at the North, to have for a main purpose the Abolition of Slavery, and it succeeded, in a good measure, in absorbing the sympathies and money of those who hated Slavery at the North, and especially in the Middle States. We have been assured that the reason why it never took an equal hold upon the New England mind was the prompt exposure of its true character, when its claims were first presented, by Timothy Pickering and other men who saw Slavery and its devices with eyes which had been watching both for more than fifty years, and whose old experience had attained

"To something of prophetic strain."

At the South, it made no secret of its true designs, and appealed to their obvious utility, as a safeguard of Slavery, to induce States and individuals to promote them. As soon as the Anti-Slavery Movement arose, it proved a true touchstone of this, too, as well as of most of the other opinions, practices and characters it encountered. The natural and inevitable antagonism of Ideas, the one of which contemplated the immediate Extinction of Slavery, and the other, its indefinite continuance and well-being was at once developed. They could not consist together. With many honest exceptions, who very fast took themselves out of the category of exceptions, as a general thing, the promoters of the Colonisation Scheme proved themselves the bitterest and most unscrupulous enemies of the Coloured Race and the sternest opposers of its deliverance. And so it hath remained unto this day. A Colonisationist and a Pro-Slavery man of the most venomous description may be taken for synonymous and convertible terms. Who are the main supporters of Colonisation now? The framers and supporters of the Fugitive Slave Law, and its kindred abominations. Henry Clay has just yielded its Chair to Daniel Webster. The Slavecatchers, honourable and reverend, clerical and laic, are its foremost supporters and friends.

The instincts of the Coloured People, however, were too true for all charming of politicians and priests to overcome, charmed they never so wisely. The most industrious and well-instructed knew that sweet waters never flow from bitter fountains. They refused to seek for grapes of the thistles which their natural enemies had planted for them, or to hope for figs from the cruel thorns from which they had with such difficulty escaped. They knew that America was their Native Land as truly as of those that asked them to abandon it, and they clung to it as their birthright. The better portion of the Coloured Men saw that here was the place allotted to them, where they were to work out the problem of the fortunes of their Race. Their fathers had been brought here against their will, to be sure. And so, in some sort, were the ancestors of the White Races for most of them would have staid at home, could they have had their own way in matters religious, political, or pecuniary, that they deemed paramount. But having been born upon the soil, it was their native soil, as truly as it was that of Washington, or Jefferson, or Jay, or Hancock. And it seemed to them as absurd to propose to remove them back again to the golden coasts of Africa as it would to the descendants of those driven hither by the persecutions of James or the dragooning of Louis to suggest their deportation to England or to France. And to the more ignorant and unthinking, it appeared as plain as it could to any white philosopher, that bad as were the ills they had, it was better to make the best of them than "to fly to others that they knew not of."

Thus, for one reason and another, the coloured people have withheld "their own consent" (the illusive condition, only meant to blind silly philanthropists) from the plan which would take them from the homes, however humble, they had won for themselves here and set them down on a strip of coast, with the Ocean on one side and savages made more barbarous by intercourse with white men on the other, and with a deadly atmosphere overhanging it. And so measures have been, from time to time, taken to win this preliminary consent. The Slave States have made the contrivance of measures for the discomfort of their Free Coloured population a part of their Statecraft. And this devilish Machiavelism has extended itself to the Free States nearest to them. They are placed out of the pale of the law by the rejection of their oaths in Courts of Justice. They are denied the right of suffrage, entirely in some States, and with qualifications difficult to acquire in others. Into some they are refused admittance. The Common Law, the Constitution of the United States, the dictates of the simplest humanity are set at naught, so that these benighted heathens may be converted from the error of their ways. And in addition to all this, and more than it all, the social condition of this unfortunate class is everywhere made as uncomfortable and unhappy as possible for the same beneficent purpose, in part, of bringing them to a sense of what is good for them. At this time, the designs of the Slaveholders and their tools, at Washington and elsewhere, are becoming more and more apparent. The scheme for the establishment of National Steam vessels on that route, the cruel legislation proposed in Pennsylvania, the narrow propositions for direct assistance to the Colonisation Society, all show in which direction the popular, or rather the governmental, gale is setting.

And it is just at this moment that a new ally of the oppressor appears. His heart is comforted and his hands strengthened from an unexpected quarter. At this critical juncture, Mr. James G. Birney, once a Slaveholder, then a Colonisationist, next an Abolitionist, after proceeding through the stages of New Organization and Third Partyism, at last returns to the point of Colonisationism! We trust he will not slide back the yet further step and become again a slaveholder! And yet it would hardly be more strange, in view of all that he has known and said, than what he has done. It is many years since we entertained a high opinion of the principles of Mr. Birney. His humanity in freeing his slaves we honoured. His deliverance from the delusions of Colonisation we respected. But his co-operation with the base and sectarian assaults which were made in 1839-40 upon the life of the Anti-Slavery Movement, and, especially, his participation in the spoliation of the American Anti-Slavery Society, have diminished the surprise we could feel at any new demonstration of his. The whole tone of his argument indicates a want of faith, of appreciation of the true signs of the times, of weakness of observation and of reasoning. He assumes what the Slaveholders and the enemies of the Coloured Race have always assumed, that it cannot remain in this country. He virtually admits the perpetuity of Slavery. His arguments, if good at all, strike at the very root of all moral, or even political, agitation against Slavery. It is the philosophy of despair. Mr. Birney is unlike the Bourbons, inasmuch as he has forgotten much, if he has learned nothing, during his experience of Fifteen Years. We do not think the country lost much when he missed of the Presidency. When we begun this article we designed the chief of it for him. But as he has, some how or another, slipped through our fingers, we may, possibly, return to him at another time.—E. Q.

DR. KINKEL.

IF some little good shall accrue to the Cause of Liberty in this country from the efforts of those who are advocating, among us, the Cause of Liberty in Europe, no thanks are due to such personages for such small result. If done at all, it is done in spite of them, and not through their good will and intentions. For the sake of the millions in political thraldom there, they are willing to sacrifice the millions in personal bondage here. If they can secure standing-ground on which to contend with the enemies of the freedom of their own people, they are quite willing it shall be covered with the prostrate bodies of those who have in them no other claim than that of a common humanity. If the hearts of those to whom they appeal shall be moved to a quicker pulse by the recounted wrongs of oppressed nations, and their eyes shall sometimes turn to the slaves whose imploring looks they meet all around them, it will be because the words of these men are true, and not because the men themselves are true to their words.

At the West, one Dr. Kinkel, who has just arrived in this city, a German refugee, has been dividing with Kossuth the popular interest and applause. To Kossuth, perhaps, in a measure, he owes it that he commands so large a share of public attention. He was earliest in the field, but his labours seemed to meet with but little success, and attract but little notice, till the eyes of the people were turned more directly to European politics by the speeches of the eloquent Hungarian. The object of Dr. Kinkel is to raise a loan of two millions of dollars for the cause of liberty in Germany; but the fact that he pleaded in behalf of liberty at all, and more especially the fact that he made himself obnoxious, at the outset, to the suspicion that he believed it to be the right of all men, whether republican slaves or monarchical subjects, seemed an insurmountable obstacle to the success of his project, and made him a fair mark for the poisoned shaft of pro-slavery editors. How much he deserved the charge of favouring Abolitionism in this country, we have no means of knowing; but we know, if it was ever imputed to him with any justice, it can be so no longer. He is not only reaping the benefit of the excitement created by Kossuth, but he has seen the wisdom of the course pursued by that gentleman, and adopted it as his own. He has visited the South-West, and it is fair to presume, as his presence was tolerated, that the doctrine he preached, or rather his way of preaching it, was not supposed to endanger the safety of the peculiar institution. We last hear of him at Louisville; and if any suspicion still existed in regard to him, his speech there should put it to rest. He has thus defined his position:

I found to-day, in one of your papers, a suspicion moved against me, as being an Abolitionist. The respectable gentleman who has written this has been mistaken. It has been my leading principle, since I reached the shores of the Union, not to intermeddle with the internal and social questions of the American people. I am not an American party man. If I should come to stay here, and to be a citizen of the United States, then I would follow the command of the wise Governor of Athens—that, in a political contest, every citizen ought to take one party; but now I am a foreigner and a European politician, and it would not be becoming to my position if I should venture to be a judge about one of your internal differences.

It is only necessary now that he should state to which party he would give his adhesion in case he were a citizen. And this, probably, he will soon see the necessity of doing.

THE GALVESTON NEGRO CASE.

THERE will, we doubt not, be a long and loud howl from New England Abolitionism, when it hears of the strict and sharp way with which the law of Texas has dealt with the Massachusetts free negroes, who were caught at Galveston enticing away slaves. Yet Texas dealt with them mercifully, considering the nature of the crime, in its consequences upon the security of property and the domestic quiet of her people. She first imposed only a fine, and when that was not paid, condemned the criminals to expiate the offence by personal servitude, and to form an example to deter others from offending in the same way. The code of many of the Southern States would have justified even more summary action. White men have been hanged with little compunction for the same offence, without exciting any very great clamour elsewhere, yet we expect to hear a fierce outcry against the condemnation to Slavery of these "coloured brethren," whose lives might have been taken without departure from prevailing opinions of right, and cogent reasons of policy. Philosophers have traced the origin of domestic Slavery to the natural rights of war, by which the life of the captive in battle became the absolute property of the conqueror, and might be taken at will at once. To spare it on condition of personal service was an act of mercy. The modifications of this barbarous law, in more civilized times, proceed upon the principle that as the original right was an absolute law of necessity for self-protection against the repetition of hostile attacks from the same quarter, or of the same kind, the measure of melioration is in the degree of the proved absence of such a duty of self-preservation.

In a combat for life, all treatment of the assailants is justified to the extent which will secure safety to the assailed. As regards the malignant warfare against the vitals of the South, waged by the incendiaries, of which these criminals were agents or tools, the Southern States have generally believed that the lives of those caught and convicted are justly forfeited, and that they ought not to be spared. Texas, more merciful, fines only; and, in the last resort, condemns them to servitude, as unfit for the duties of freemen, and unsafe to be left at large to plot mischief. She has exercised her rights; and, we believe, too, performed an act of duty to herself and her sister States of the South, for which she is entitled to thanks This growing and most perilous plague of free negro association with the slave population, which is pertinaciously thrust upon us from the North in defiance of all our attempts at exclusion by police laws, must be sternly met, and driven back whenever and wherever it approaches our borders. The sentimental advocates for negro equality will, no doubt, raise a grand clamour at this act of stern justice. But it will justify itself in all reflecting minds on grounds of social and political duty. And if there be to some the appearance of harsh pressure upon guilty individuals, disproportioned to their intrinsic responsibility for the particular act, because they may have been deluded by others into a position where indulgence can scarcely reach them, the fault and the consequences are justly to be imputed to the discreeter villains who, prompting the deed, kept themselves in personal safety at a distance. The example will, we hope, have a beneficial effect in warning some of these poor tools from listening to such advisers, that they avoid the same unerring fate, if detected in their crimes.

We find this defence of the recent atrocity committed in Texas, against four free citizens of Massachusetts, in the *New Orleans Picayune*. That Slavery is a state of War, and that its relations are to be subjected to no other than martial law, is the best defence that can be made of such an act as this just committed at Galveston. It would be well if the South would put it upon that ground, and the North so consider it. When it is acknowledged and understood, that so far as the question of Slavery is concerned, the two sections of the country are in hostile attitude, we shall begin to come to a better understanding of what is meant by Slavery-Compromises, and what it is chiefly that the bond of Union secures. Were Massachusetts an independent power, this enslavement of her citizens would be held as good cause of War. Now, trammelled and fettered by the Constitution, she must submit, in certain cases, to stand in the position of a conquered province, bound in honour and by treaty to submit to any wrong and degradation that the dominant power chooses to inflict She is first injured in the tenderest point, and then insulted; and many of her own citizens will advocate submission lest she should forfeit, by resistance, the fancied benefits she buys by such submission. If she seeks redress by protest and by constitutional remedies, she knows, from the result of Mr. Hoar's mission to South Carolina, how much she is likely to gain

But of course submission only brings new infringements. The South assumes the rights of selling Northern citizens for interfering with Slavery, and demands that slaveholders shall be protected and upheld as such where Slavery does not exist, by the power and authority of the Federal Government and the Governments of Free States. A body of planters at the South have the boldness and devilish impudence to ask the Legislature of California for permission to settle in that State with their slaves, and they propose to memorialise Congress for protection to this property in its transit to the Pacific. James Gadsden, writing from Charleston, S. C., in a letter to a Southern paper, thus explains and urges this scheme:

We are in part organized—if we can get a favourable response to a memorial now before the California Legislature, to introduce our domestics and our southern cultivation—indeed, our colony, protected by a government force, might be the means of opening a wagon road to the head waters of the Red River, and from thence to the Paso del Norte, and westwardly by the Gila to the Pacific. This route has long attracted my attention as the most practicable to California; and, although somewhat advanced, the vigour and energies of manhood would be renewed on an expedition so exciting and so full of hope. Would you, at your convenience, advise me of the accessibility by steam to Shreveport, or to the highest point on Red River, and an account of the character of the country interiorly up to the sources of that stream, and from thence to the Passo del Norte? It appears to me that by keeping within the valley, many of the difficulties of a land passage west would be removed; and, from the sources of the Red River, crossing the elevations which divide the waters of the Mississippi from the Rio Grande, we might fall upon some tributary of the latter leading us into its valley.

Now, if in connection with your canvassing of the parishes and districts of the adjacent interested States, you could urge on Congress the organizing of a corps of engineers, under adequate military force for protection, and tender the same protection to a colony such as I propose, with a condition that as a return for this protection, superadding probably subsistence, that the efficient force of the colony should be employed in making and opening a road for teams and wagons, there would be no difficulty in the organizing of such an expedition, while the protection tendered might be a stimulant. A small advanced mounted corps could proceed ahead with the engineers; examine and spy out the intricacies of the country; mark avenues, which will be opened by the axe-men of the agriculturists who follow, under the protection of an armed force.

If it were worth while to ask Massachusetts or New York for an act to permit slaveholders to hold slaves in these States, the South would not hesitate to make the application; nor would there be Union Committees wanting to give such a scheme the benefit of their influence and exertions. No wonder Northern citizens are sold into Slavery, and that the South boldly declares that, being at war with all really Free States on this point, she exercises the right of a conqueror over his prisoners. Massachusetts is essentially a conquered province, and can not, or, at least, will not help herself.

ABOLITION OF CAPITAL PUNISHMENT IN RHODE-ISLAND.—The bill for the Abolition of Capital Punishment in Rhode Island has become a law, but it has a provision that a criminal sentenced to imprisonment for life shall not be pardoned except with the concurrence of two-thirds of the Senate.

ADDRESS TO KOSSUTH.—The last No of the *Liberator* contains a long extract from a letter to Louis Kossuth, from the American Anti-Slavery Society. It is issued in a pamphlet of 112 pages, and is, or will be, we presume, for sale at all the Anti-Slavery Offices. It embodies, says the *Liberator*, a great amount of facts, illustrations, and narratives, and will, therefore, be useful for reference to Abolitionists.

THE 'HIGHER LAW' IN THE UNIVERSITY OF MICHIGAN.

THE Trustees of this Institution, however zealous they may be in inculcating the study of the 'humanities,' are especially careful that the spirit of humanity shall not interfere therewith. They are so disposed to obey literally the injunction to "get understanding," that they conceive it to be a duty to guard against making, at the same time, any other acquisition. The students delivered into their hands may cram their heads full of the dead languages, Mathematics and Rhetoric, provided, to make room for these valuable acquirements, their brains are brushed clean of any such rubbish as Morality and Philanthropy. If these nursing fathers of the young State of Michigan succeed in raising their sucklings on such diet as, we learn, from the following Resolutions, the Board of Trustees of her University are disposed to feed with, the slavehunters may rejoice that they have such allies on the Canada Line:

In the *Detroit Advertiser*, of the 3d inst., is this Report:

MEETING OF THE BOARD OF REGENTS OF THE UNIVERSITY OF MICIGAN.

DETROIT, Dec. 31, 1851.

The Board met at the County Court House, and after discussing at some length the matter of choosing a President, it was postponed for their consideration at a future meeting.

Judge Pratt then offered the following preamble and resolutions:

Whereas, the great primary object of establishing the University of Michigan, as clearly expressed by the people through the act of their Legislature, was 'to provide the inhabitants of the State with the means of acquiring a thorough knowledge of the various branches of Literature, Science and the Arts,' that as such Institution it is worthy of the pride and fostering care of every citizen of the entire State, and whose duty it should ever be to watch and guard it assiduously, and to see that it is not by any means perverted, or directly or indirectly used for any other purpose, and especially that it is not used for the inculcation of political and religious dogmas.

And whereas, it is represented, and is undoubtedly true, that the Rev. D. D. Whedon, one of the Professors of said Institution, has, during a period of time past, not only publicly preached, but otherwise openly advocated, the doctrine called 'the Higher Law'—a doctrine which is unauthorized by the Bible, at war with the principles, precepts and examples of Christ and His Apostles, subversive alike of Civil Government, Civil Society, and the legal rights of individual citizens—and, in effect, constitutes, in the opinion of this Board, a species of moral treason against the government.

Resolved, That the Rev. D D. Whedon, for the reasons aforesaid, be and is hereby removed.

For which Maj. Kearsly offered the following, as a substitute, to wit:

Resolved, That, in view of the duty devolving upon the Board of Regents elect, to re-organize the Faculty of Arts in the University, and to appoint a President, it is expedient that the Board provide for that contingency, by determining the terms of the existing members of said Faculty; therefore—

Resolved, That the terms of the present Professors of Philosophy and Mathematics, of Logic, Rhetoric and History, and of Greek and Latin languages, in the University, respectively, terminate and expire at the close of the present academic year, or at such other *previous* time as the Board of Regents elect may determine, and to appoint their successors.

These resolutions were accepted by Judge Pratt, as a substitute for his preamble and resolutions, and passed by the following vote, to wit:

YEAS—Pratt, Foster, Pitcher, Ransom, Kearsley, Allen, Fenton.

NAYS—Pilcher, Redfield.

The *Evening Post* of this city says that it has a private letter commenting upon this transaction, from which it gives the following extract:

JONESVILLE, January 5, 1852.

* * * * * The matter I am about to speak of is this—At the late meeting of the Board of Regents of this State, a resolution was introduced by Judge Pratt (a kind of bar-room politician), that Professor Whedon, and two other Professors of the State University, be dismissed, for the reason that they are 'higher law men,' or rather, we should say, are opposed to the further extension of Slavery in the United States. This resolution was introduced on the last day of the session of the old Board of Regents, at the hour of midnight—the darkness of the night being adopted, perhaps, 'because their deeds was evil.' But to explain still further, I would say, that under our new constitution a new Board of Regents was elected last spring, of one from each of the eight judicial districts in the State.

The new Board were to take their office on the first of January last. The old Board, of which Judge Pratt (as Judge) is an ex-officio member, in order to show his horror of the doctrine of universal freedom, without regard to colour, introduced the resolution, which passed, for the dismissal of the three Professors who were so unfortunate as to disagree with him and Gen. Cass upon the Wilmot Proviso question. They were too impatient to wait till the new Board of Regents, freshly elected from the people, could take their seats, but they must do up the dirty work at once. Professor Whedon is a ripe scholar, and a man universally beloved, as well by the students as all others who are acquainted with him. Doctor Whedon is a Methodist minister, and like most of the clergy and laity of that church, is strongly Anti-Slavery in sentiment.

The secret of his great crime is, that at the last Methodist Annual Conference for the State, he introduced resolutions against the further creation of slave territory (a copy of which resolution I sent you at the time). He was marked as a victim then, and this is the way they seek to punish him. But this is a blow at the whole Methodist church in our State, and we hope they will not soon forget it. You may inquire, who is Judge Pratt? He is a lawyer, of moderate abilities, who, when in the Senate of this State, refused to abide the caucus nomination of Cass for the United States Senate, and boldly denounced the General as a demagogue in all his speeches. But what a change! Now, he is the veriest tool of Hunkerism in our State—who denounces in the bar-rooms and groceries, all who differ with him on the question of Slavery. His impudence is only equalled by his profanity. But you may well ask, 'What will become of our University?' I can only say, that its rooms will be deserted, and the tread of pupils in its halls will be seldom heard, if this intolerant spirit of persecution is continued or adopted by the new Board of Regents. This University was the first to establish a system of free education, and now it is the first to put down free principles and free thoughts. * * * *

THERE is nothing more remarkable in the many speeches made by Governor Kossuth, since he landed in this country, than the perfect adaptation of each one of them to the local circumstances by which he may be surrounded. He is careful, before venturing to speak in any particular place, to acquaint himself with its history, if it has one, and to put audiences in good humour with themselves and him by this indirect tribute to their importance and worth. It is a harmless, though very skilful sort of flattery, and is one of the many evidences which this remarkable man has given of how perfectly he understands the people he is among, and how diligently he has studied the human heart.

It is idle, therefore, to palliate the course he has seen proper to pursue, since his arrival among us, in relation to the question of Slavery, by assuming that he could not understand our national politics, and how completely every interest, in this country, is governed and influenced by the bearing which the chattel system may have upon it. His own character is evidence enough that he had made himself perfectly familiar with all our "institutions" before he crossed the Atlantic, and that what he has done he has done deliberately and with foresight. But even if we had not this evidence, there is enough of another sort to convince any reasonable man that his course was pre-determined. Beside the letter of our correspondent, R. D. Webb, of Dublin, to the Mayor of Southampton—which has been published in this country—and which undoubtedly was seen by Kossuth, we know that Anti-Slavery books were put into his hands before he left England, and that other measures, both by personal interview and by letter, were taken by Anti-Slavery people there to make him thoroughly acquainted with the state of things, in the United States, in regard to Slavery. That he used the information thus afforded him there is evidence enough in the course he has adopted, though that is diametrically opposite to the one which it was hoped by these persons he would pursue.

Among the letters thus sent was one which we find in a late No. of the (London) *Morning Advertiser*. It was written, as we happen to know, by Mrs. Massie, the wife of the Rev. Dr. Massie, a distinguished clergyman of London, and, as we happen also to know, was read by Kossuth. We copy below this appeal so eloquently made, and so signally disregarded.

KOSSUTH AND AMERICAN SLAVERY.

The following eloquent and spirit-stirring appeal to Kossuth was addressed to him by a lady, who takes a profound interest in the question of American Slavery, previous to the departure of the illustrious Magyar for America. Recent incidents on the other side of the Atlantic confer on the document a special interest at the present time:

Permit me to ask your acceptance of a small book, *Liberty of Conscience*, being the substance of a lecture, delivered at Liverpool by my husband. He would have been among the foremost to welcome you; but he felt that you were overwhelmed by a nation's greetings. Your name is indissolubly associated with liberty—so must it be with "Liberty of Conscience." Both are the gifts of God to every human being, and he who would alienate the one or the other, robs Him who gives and Him who receives. I have traced your noble patriotism for more than two years, on your beloved Hungary, and felt deeply grieved that English statesmen suffered you to be crushed by perfidious Austria, backed by the despot of Russia. But when those tyrants felt that their only safety was in banishing you from Widden to further Kutayah, my soul sunk within me, and I cried, "Kossuth will one day perish by the hand of the Austrian assassin." Yet God, who hears the sighing of the prisoner, raised your head out of the prison-house, that, as Joseph, you should yet save a people chosen by Him; that in the midst of darkness and superstition they may know and love His name. In your captivity, He restored to you the wife of your bosom and children, thrice dear to you. And because He had a favour for you, He gave you, even there, hope in His mercy, mental capabilities, and facilities to master that tongue, through which your Heaven-born principles should thrill every soul, as with electric fire and love—should carry conviction to every mind, and cordial co-operation to every heart, head, and hand of the great Anglo Saxon family.

That you were not permitted to pass through France, has in the providence of God, worked for good—Cowardly despots quailed at your approach. The French people appreciated it; and, with the people of England, marked the cloven foot that would destroy the principle of liberty. Nor does the standing aloof of a haughty aristocracy from the illustrious representative of European freedom, pass unheeded. But you are proceeding to a country boasting of its liberty, while it confines that inalienable gift of God to one colour. The senators of America have framed iniquity by a law, and this law denies freedom to 3,179,000 human beings. The wretched slave of the free republic knows no liberty—can possess no property; dare not claim the wife of his bosom: and the mother of the slave child cannot call her own the infant she cradles in her womb. Bought and sold as the beasts that perish (no man caring for their souls), they are reared for the market, and, when they follow the dictates of liberty, are hunted by human bloodhounds, and are torn and mangled as by beasts of prey. When was Hungarian serfdom equal to this? And yet your first act, as a ruler, was to emancipate the three and a half millions of serfs in your fatherland. Has the Great Jehovah, think you, given a proprietary, a chartered right, to America, above all other nations, in the soul and body of her fellow-man, that she may hourly and daily, and through all generations, plunder the negro of his rights? and yet be held up as the model of a free nation! Nay, your righteous soul will loathe American Slavery. Your noble nature cannot endure it. Your generous spirit will be stirred within you to hear the wail of an oppressed people. You cannot forbear to "deliver them that are drawn unto death and ready to be slain, and say, Behold, we know it not."

You will turn with indignant abhorrence from the very legislators of that country, who, to uphold the internal slave trade, have turned the States into one vast brothel, raising their own progeny for the market, and selling the fruit of their body and the mother of their children to the highest bidder. All this work of darkness they will be careful to hide from you; nevertheless, your penetration and discernment, and your exalted moral feeling, will soon trace the demoralizing influence of the accursed system in the heartless and cruel, the polluted and profane boasters of the free Republic. Haynau has slain his thousands; Fillmore, Clay, and Cass, their ten thousands Haynau flogged one woman before his brutal soldiery—America is a nation of woman floggers, a country gloated with gore. Russia's ruthless monster plies the knout over a poor degraded people. The land of the free and the brave employs the cowhide, the bowie knife, the chains, the bloodhounds, and the Lynch law. Can the mighty Kossuth look with complacency on such a people? Far be that from him. Can he eulogise the people of that land as free, when three and a quarter millions of immortal souls born in America are, as their own Judge Jay says, "stripped of every right, and reduced to the condition of a vendible beast of burden. Where the liberty of the slave is concerned, and all his hopes of happiness for the life that is, and that, that is to come, no jury is allowed to settle the controversy. But in all other cases, if the point in question be worth twenty dollars, a jury must decide." Such are the laws and the people that make them, while the ministers, the teachers of religion, are the bulwarks of the system. In many instances the unrequitted labour of the Negro provides a living for some of their proudest sages, and, as did the great adversary of man, they wrest the Scriptures, and vainly try to prove that God hath not made of one blood all nations of the earth. We know who has chosen it as the duty of the good and holy, "to loose the bonds of wickedness, to undo the heavy burden, and let the oppressed go free, even to break every yoke."

The God of the oppressed strengthen you for the work, for the conflict that is before you! May He keep you as in the hollow of His hand! The men who would retain their fellow men in chains are not the freemen whom the truth makes free, and the works which they do are deeds of darkness. However they may disguise themselves they are base and ignoble as oppressors. Let them not entrap you in their foul snare, or work their enchantments on you, till your moral vision is destroyed, that you may wink at their nation's sin. The virtuous Kossuth will not, then, stand as he now does—freedom's champion. In consenting to the sin of America, his own garments, p

MR. GIDDINGS AND MR. STANLEY.

We refrained from copying last week the evidently incomplete and one-sided Report, sent on by Telegraph, of the debate in the House of Representatives, at Washton, between Messrs. Giddings and Stanley, as a fuller report, we were confident, would show that the part taken in it by the member from Ohio would show him to have occupied a much more dignified attitude than was, at first, granted him. "If you lay down with dogs," says the old adage, "you must get up with fleas;" and the unfortunate necessity which compelled Mr. Giddings to such a conjunction gave his enemies an opportunity of heaping upon him the abuse which is rightfully deserved only by his opponent. The full report shows Mr. Stanley to have been not only the aggressor, but that the foul-mouthed and abusive ribaldry with which he attempted to brow-beat and silence the member more hated than any other by the South, was met in a manner at once dignified and fearless. For the whole of this report we have not room, but we copy the concluding portion of it from the *Congressional Globe*.

The occasion of the debate was the offering of certain Resolutions passed by the New Jersey Legislature, in favour of the Compromises. On a motion to print, Mr. Giddings occupied his hour in a speech setting forth ably and eloquently the aggressions of the South, and the servility of the North on the Slavery question. To this Mr. Stanley replied by a personal attack and personal charges, all which Mr. Giddings met promptly and triumphantly. His opponent then charged him with attending an Anti-Slavery meeting in Pennsylvania, and here we take up the report:

But the honourable gentleman talks about our adjourning over from Friday to Monday. Now, I want to know where the gentleman from Ohio was during nearly a whole week of the present session, when he was absent from the House? I know where he was. He was in a Philadelphia convention. He was embarking in the Kossuth humbug. He was passing resolutions about Kossuth's influence upon the Slavery question in the United States. But he was not assisting in the discharge of the duties of this House.

Mr. Giddings—Will the gentleman allow me a moment?

Mr. Stanley—It is evident that no member of this House wants to hear him; but I will allow him to speak (laughter).

Mr. Giddings—The gentleman has, upon a former occasion, imputed to me a presence at a meeting of Abolitionists in Philadelphia, when certain resolutions were passed there. The gentleman is entirely mistaken. These resolutions were not passed at the meeting at which I spoke; nor were any resolutions passed, save, perhaps, a formal vote of thanks to myself and others. The meeting to which the gentleman alludes was at another time and at another place.

Mr. Stanly (interrupting)—The member was not only in the Philadelphia Convention that passed those resolutions, but he was there and made a speech. That he does not deny, although he will deny anything when the proof is not at hand. He cannot deny that; and, by the way, there has been no man who has not had a controversy upon this floor with that honourable member who has not raised the issue of veracity with him—no man, whether from the North or South. Not one, that I remember. But, not only was he present, but he made a speech. "The galled jade winces again" (pointing to Mr. Giddings).

Mr. Giddings—Does the gentleman intend to say that I was present at a meeting in Philadelphia when certain resolutions were agitated, or that I knew they were agitated, or that I spoke in reference to them?

Mr. Stanly—I say he was at Philadelphia convention, and made a speech at that convention. Did he not?

Mr. Giddings—If the gentleman intends to say——

Mr. Stanly—I say nothing about his intent. But I say what I have said.

Mr. Giddings—That gentleman shall not crack the overseer's lash in that way, to put me down. I say, and I say unhesitatingly, that if he intends to say that I was present, and knew of such resolutions, or heard of them, or heard of any agitation of them, at any meeting, he is mistaken. If he intends, however, to be understood as saying, that late in the day when I was in Philadelphia, I walked into a convention there, and when called upon responded in a very few words, he is right. Now, the gentleman may talk about his question of veracity; but when he attempts, in that offensive manner, to misrepresent, he need not undertake to intimidate gentlemen from speaking the truth, and doing so boldly.

Mr. Stanly—I hope the gentleman will not gnash his teeth so hard. He hardly frightens me by this extraordinary exuberance of passion. The honourable gentleman says I shall not crack the overseer's whip over him. That is a favourite figure of the honourable gentleman. The only overseer's lash in my part of the country, that I know of being cracked at all, is not with slaveholders, who manage their negroes without it. We have no crack of the lash with us over our slaves. That is a fancy. The lash is only known to felons and bad negroes. There are bad negroes—and there ought to be bad negroes when we see how meanly white men can act (laughter)—who should be punished with it. Who is playing overseer over white men! Who but he who makes himself an overseer, cracking the whip, and throwing out his filth and slime over everybody. With him every Northern Whig is a dough-face, and every Democrat is a vile wretch and slaveholder, who performs his duty under the Constitution toward his brethren in the South.

Sir, we do not raise the overseer's lash over our slaves in North Carolina. If that man [pointing to Mr. Giddings] were in the Southern country, Mr. Chairman, there is not a decent man amongst my constituents who would own such a fellow for a slave. He would be a "free nigger," and in less than three weeks would be tied to the whipping-post for stealing or slandering his neighbour. Now the honourable member says, if I say that he was at that convention, when certain resolutions were passed, then I misrepresent him—then I tell a falsehood. Yes, sir, and if I say he is a gentleman, I tell a falsehood; and if I say that these pillars are all made of chalk, then I tell a falsehood; and it I say that this white piece of paper is as black as the heart of the gentleman from Ohio, I tell a falsehood; but I have said no such thing. But upon the point of being absent from public business, I charge him with being at Philadelphia in a convention where certain resolutions were passed; and that he made a speech at that convention. That I charged, and that only, and that he does not deny. But he gets over that by saying, that if I say what I did not say, that I misrepresent. Now I not only charge that, for the gentleman was not only at that convention, but he was at some public meeting in Montgomery county, in Pennsylvania, making speeches—at Norristown. He can go away and attend two sessions, and——

The Speaker—Will the gentleman suspend his remarks a moment?

Mr. Stanley—Certainly. I ought to suspend that fellow by the neck, [pointing to Mr. Giddings].

[A message was here received from the President of the United States, by the hands of Millard P. Fillmore, his private Secretary]

Mr. Stanley—(resuming). The honourabl gentleman from Ohio [Mr. Giddings] not only indorsed, but threw the overseer's lash over the whole South. But let any gentleman from the North, no matter how high his character, deviate at all in voting from what the gentleman thinks is right, and that moment he is assailed as a dough-face. Let any Southern Democrat vote for any one of these compromise acts, he is a dough-face. Let any Northern patriot vote for any one of them, and at once he becomes a dough-face, and is assailed by the member from Ohio. Sir, he is in the habit of lecturing this House, and he has done so two or three times this session, while I charge him with neglecting his business and running away; and when he is here, with throwing constant impediments in the way of the transaction of the public business.

I regret that I have been led to say a word about this matter. If I did not intend to do so. I have departed from the course of conduct I had prescribed to myself towards that member. But his own insolence has caused me this morning to forget it. When there was no matter of that sort before the House, he has got up and poured his abuse upon the whole House and upon the whole Southern country. In a moment of excitement, I was induced to get up and remind him of his misdeeds, when he rose and insolently stated that what I said was false. He has thrown the first stone; he has begun this business; and, disregarding all propriety, has provoked what he has got, and let him take the consequences and bear the blame—though he is to blame enough to sink a navy, and odium enough to disgrace a regiment of free negroes afflicted with the small-pox, if he had the whole poured upon him.

I beg pardon of this House for having descended—as the gentleman said I did—for having stooped to a controversy with him. I plead guilty to it.

Mr. Giddings.—I wish to say one word.

Mr. Stanly—Does he want to make an explanation?

Mr. Giddings—When I spoke of the gentleman, saying that what I stated was false, the House will bear testimony that I did not transgress any parliamentary rules. I know my parliamentary rights. I stepped to the verge of parliamentary rules, but there I stopped. Every member understands them. Neither is it insulting or ungentlemanly to correct a man if he is wrong. I did not say that the gentleman *intentionally* spoke falsehood or misrepresented the facts. No, sir; I know too well what belongs to gentlemen; what belongs to myself, and to the dignity of this body, to say that I therefore kept myself within parliamentary rules. When that gentleman is put forward by a certain servile class of the North, as their instrument to assail me; when he undertakes to play the braggart for dough-faces, and serviles for the Swiss guard of Slavery; when he undertakes to *draw* me into controversy with him, I will say to the gentleman, that when you go so low, as you have to-day, I cannot follow you. It may, sir, be suitable for the grog-shop or the bar-room, but it is not fit for the people whom I represent. Such language would not be permitted among common bar-room loafers of my district. Now when any man expects me to interchange such language with the gentleman, I can only say, he is mistaken. I know whom I represent, and I know that my constituents would never justify me in following any man, or member, to the lowest depths of——

Mr. Stanly, (in his seat). Mr. Giddings's district.

Mr. Giddings—To the lowest depths of *ribaldry*. Sir, it is unbecoming any member of this House, and I appeal to the members of this body if they ever knew me to assail a man at any time, or in any place, until I myself was first assailed. And let me say, looking that gentleman and every member of this House in the face, that I have never been guilty of such an outrage upon the dignity of this body, as he has perpetrated on the present occasion. The gentleman had better use such language only to those who crouch and shrink and tremble at his frown. It may do well on the plantation, but it is unbecoming towards freemen. It is unsuited to this Hall. Degradation itself would blush, and the man who would do it must have sunken so low, that he would become giddy were he elevated to the level of total depravity.

There are slaveholders in this House—and I take pleasure in saying it—with whom my relations now are, and ever have been, those of gentlemanly deportment and mutual interchange of respect, and nothing else; and while slaveholders demean themselves as gentlemen, no one of them will ever be assailed by me.

But the gentleman says I charge *Northern men* with being doughfaces. Well, sir, *he* takes it upon himself to be the representative of all the doughfaces of the North to-day. He speaks for them—he comes here as their agent and attorney, and assails me. And how does he do it? Why, he says I am out of order. Mr. Speaker, (the presiding officer of this House [Mr. Boyd] being in the chair), you yourself made the question as to the order of debate upon this resolution. I believe (alluding to Mr. Jones of Tennessee, who was then in the chair) you called me to order, and that gentleman, (Mr. Boyd) a slaveholder, a man whom I respect and honour, declared that I was in order; and an appeal taken from that decision was laid upon this table; and now this gentleman from North Carolina (Mr Stanley) insists that it shall go out to the country that I was out of order, when the Speaker of the House expressly decided that I was in order. Now, I heard that gentleman (Mr. Stanly) once tell an anecdote upon this floor, about a boy, who whirled himself about so rapidly that the hind part of his breeches got on the foreside (laughter); but the gentlemann changed his position much more rapidly; for the purpose of assailing me, and making personal altercations between him and myself; pronouncing the Speaker out of order, pronouncing the House out of order, and the rules themselves out of order; and that in discussing the resolutions I was out of order.

The gentleman says I speak of Northern men as doughfaces. Why, the term *doughface* has become honourable among some of those associated with him. He calls me an Abolitionist; I call him a slaveholder.

At the North we have two classes—doughfaces and free-soilers. I acknowledge the name they give me—there is not much in the name—and I permit them to use it; and I give to them the only cognomen, known to the English language, which befits their position.

Mr. Stanly—How many minutes have I left of my time?

The Speaker—Seventeen minutes.

Mr. Giddings—The gentleman says that I was at Norristown. Where was he when I was at Norristown? Where was the House when I was at Norristown? Why drinking their grog (laughter). I was among the people of the Union, endeavouring to impress upon them great and important principles—which, at least, I believed to be so. And where was that gentleman? Look at your Journals and you will find the gentleman was at home, or somewhere else, or anywhere else but in this Hall. He was not here. There was no business transacted in this House during the holidays for two weeks. I took occasion then to visit friends for four days in other portions of the country, and the gentleman stands up here and reads me lectures about it.

Mr. Stanly—I think the gentleman has had more of my time than I have had myself, to reply to him. I cannot yield further.

Mr. Giddings—One word more.

Mr. Stanly—I will wait a little longer.

Mr. Giddings—Never mind.

Mr. Stanly—The honourable member from Ohio stated in the beginning of his last speech, that there was nothing wrong at all in telling a man that what he said was false. Now that is his idea of decency and propriety. He thinks it is not wrong. He is called a liar so often at home, where he is well known, that he thinks that it is right, as a matter of course. Here is his idea of decency. He says that I was put forward to make this attack upon him. If I thought I was so considered by anybody in the House, I would resign my seat and go home, because I believe that if the whole Whig party came forward to attack him they would have picked the meanest man in the House to do it (laughter). He has made such a show of himself this morning that he has not only disgraced free-soilism, but human nature.

I hope the reporters will take notes of what he has said, and what I have said, and that they will allow neither of us to see them. If he gets them into his hands—have mercy upon me! if he serves this debate as he has everybody. My colleague from the Orange district [Mr. Venable] and the member from Ohio [Mr. Taylor] got into a controversy with him the other day, and how were they represented? His speeches were entirely different as spoken and as published. He gets up one day and reads a resolution out of the Congressional Globe, and says that these gentlemen voted so and so a year ago, and the next day he has a different set of resolutions reported. I charge the reporters to see that his felonious hand touch not one word of what I have said. Let what has been said appear precisely as delivered. Let his remarks appear as spoken and not as made out after he gets home into his room with some of his coloured friends (laughter). The honourable member talks of associations here. Who ever saw him, except upon this floor, with a decent man in Washington city? He receives visits from free negroes sometimes. The charity he dispenses no man knows. He never lets his right hand know what his left hand does, nor his head what is done by either. But he will write a nice letter, full of sympathy about chains, and oppression, and overseers. He remains with his free negro friends when they call to see him; and that is the way he spends his extra hours, and the reason that he goes home about dinner time. The honourable gentleman talked the other day, in my absence, that he would like to have a bout with me, but this morning he asserts that I have been set upon him—that I am urged to attack him, and in his crazy fancy, every one who says a word to me, is giving me some hint about his course. No such thing. A gentleman mentioned to me that he was taking up the whole of my time, and that I had better continue. That was all the information given to me. I want no information in relation to the course of the honourable member from Ohio.

Where was I at the time of the sitting of the Philadelphia Convention? I have not set myself up as the standard of general attention here. He is the man who arraigns everybody, and therefore I come upon him. I do not say, that during the sessions I have always been in the House. We were drinking our grog Christmas week? Where was he? In Philadelphia, drinking beer in oyster cellars with free negroes (laughter). Who was best employed—those who drank good liquor in the city of Washington, or the honourable member in his employment in Philadelphia? I am rather a temperance man myself, and do not often drink. Judge, ye! He was much better employed than we were, no doubt, in the company of those where to tell a man he is a liar, is an everyday courtesy—that it is to be expected. (Help him—do! He stands in need of it. Whisper into his ear some little more poison good Free Soiler from New York. [Mr. King]) He says that I stated this morning that the Speaker was out of order. Have I said any such thing? The honourable member gets the floor, makes a speech, and no one notices him—no one raises a point of order upon him, and the Speaker does not interfere. He says that I charged the Speaker with being out of order. What relevancy had his speech about slave trade in the Southern States with the printing of joint resolutions from New Jersey? I raised no such point—not at all. I quit this subject in disgust. I feel as if I had been in a dissecting-room cutting up a dead dog (laughter). The House will excuse me. I will treat the honourable member from Ohio hereafter as he ought to be treated by the members of this House—as an insane man, who never was taught decency or propriety of conduct. His associations show him never to have mingled among gentlemen. I hope I shall not be again provoked from what is due to myself to descend so low as to notice him.

Mr. Beekman's Bill.—Mr. Beekman, a Senator from this city, has introduced into the Senate, at Albany, the following bill on the subject of Licenses, and as an offset to the Maine Liquor Law now before the Legislature:

An Act to Abolish Licenses and to regulate the sale of Intoxicating Liquors.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Sec. 1. No license shall hereafter be necessary to make lawful the sale of strong and spirituous liquors and wines.

§ 2. In accordance with the provisions of section 17, article 3d of the Constitution of the State of New York, the Board of Supervisors of the several counties shall have, and they are thereby vested, with full power and authority to make such regulations concerning the sale of intoxicating liquors within their respective counties as they may think proper; but no penalty to be imposed under the provisions of this act, shall extend beyond the destruction of any liquor seized by county officers, a fine of $100 and imprisonment not more than three months for each offence.

§ 3. All acts and parts of acts inconsistent with the provisions of this act are hereby abolished.

§ 4. This act shall take effect on the 1st of May, 1852.

One Reason why we cannot have Cheap Postage.—The *Evening Post*, in a very able article on the memorials to Congress from certain merchants of this city—Collins and others—asking for increased appropriations for the lines of Ocean Steamers, says that the present establishment of these steamers involves an annual expense of more than one-third of the entire mail transportation within the United States; and that if to this be added the amounts now asked by the several applicants, for similar favours from Congress, or if they should be employed according to the prevailing ratio of compensation, the aggregate would make our ocean mail service exceed, by nearly one-third, the entire cost of the transportation of all the mails within the United States, over 6,170 mail routes, and over a distance of 52,272,250 miles.

This statement is a breaker ahead worthy of the consideration of those who are labouring for Penny Postage.

Governor Hunt has pardoned Antonio Lopez, a Spaniard sentenced to suffer death for having committed murder. He was recommended to mercy by Judge Edmonds, and the Jury before whom he was tried, and the executive clemency was asked for on his behalf by Mr. Crittenden, Mr. Webster, and the District Attorney of New York. The Spanish Minister also made personal application in his favour. The Governor was influenced by the recent course of the Spanish Government toward the Cuban prisoners.

Correction.—In the report of Mr. Phillips' Speech at Faneuil Hall, in last week's *Standard*, there were several important errors, which, in the hurry of reading proof from the corrected copy—received after the Speech was in type from the *Liberator's* report—were overlooked. The most important was the following, near the middle of the last column on the first page: The sentence—'She was disgraced, but it was by force; while *cedent arma togæ*, as the Romans said—' when the robe gave way to the sword'—should read—She was disgraced, but it was by force; while, the reverse of the Roman rule, *cedant arma togæ*, the robe gave way to the sword.

☞ We are indebted to Hon. A. Fowler, M. C., for a copy of Judge Allen's speech exposing the course of Mr. Secretary Webster in the payment of the Mexican Indemnities.

Hon. A. Felch, Senator from Michigan, will also accept our thanks for a copy of his speech on the bill granting the right of way and land to the State of Iowa in the construction of certain Railroads.

Miscellaneous News.

TEMPERANCE.

THE PENDING ANTI-LIQUOR LAW.

The following is a full copy of the bill reported in the Senate of this State, and to come up for discussion this week. It differs only in some minor particulars from the Maine Law. The probability is that it will be defeated, but only for the session. It will come up again, and our readers in this State will like to know precisely its nature:

AN ACT entitled an Act to prevent Pauperism and Taxation, by the Suppression of the Traffic in Intoxicating Liquors.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. No person shall be allowed at any time to sell, by himself, his clerk, servant or agent, directly or indirectly, or to sell or furnish, under pretence of giving, any spirituous or intoxicating liquors, or any mixed liquors, a part of which is spirituous or intoxicating, except as hereinafter provided, in less quantities than thirty gallons.

Sec. 2. The Supervisor of any town, and the Mayor of any city, on the first —— of ——, annually, or as soon thereafter as may be convenient, may appoint some suitable person in each town and city, or ward of any city, as the agent of said town, city or ward, to sell at some central and convenient place, within said town, city or ward, spirits, wines, or other intoxicating liquors, to be used for medicinal, mechanical and sacramental purposes, and no other; and said agent shall receive such compensation for his services as the officer appointing him shall prescribe, and shall, in the sale of such liquors, conform to such rules and regulations as the Supervisor or Mayor aforesaid shall prescribe for that purpose. And such agent, appointed as aforesaid, shall hold his situation for one year, unless sooner removed by the officer from whom he received his appointment, as he may be at any time at the pleasure of said officer.

Sec. 3. Such agent shall receive a certificate from the officer by whom he has been appointed, authorizing him, as the agent of such town, city or ward, to sell intoxicating liquors for medicinal, mechanical or sacramental purposes only; but such certificate shall not be delivered to the person so appointed, until he shall have executed and delivered to said officer a bond with good and sufficient sureties, in the sum of six hundred dollars, in substance as follows:

"Know all men that we ——, as principal and —— as sureties, are held and firmly bound to the inhabitants of the town of —— (or city as the case may be), in the sum of six hundred dollars, to be paid them, to which payment we bind ourselves, our heirs, executors and administrators firmly by these presents.

"Sealed with our Seals and dated this —— day of ——, A. D.

"The condition of this obligation is such, that, whereas the above bounden —— has been duly appointed an agent for the town, city or ward of —— to sell within, and for, and on account of said town, city or ward, intoxicating liquors for medicinal, mechanical and sacramental purpose and no other, until the —— of —— A. D. ——, unless sooner removed from such agency; now, if the said —— shall in all respects conform to the provisions of the law relating to the business for which he is appointed, and to such rules and regulations as now are, or shall be from time to time established by the officer making the appointment, then this obligation to be void; otherwise to remain in full force."

Sec. 4. If any person, by himself, clerk, servant or agent, shall at any time sell spirituous or intoxicating liquors, or any mixed liquors, part of which are intoxicating, in violation of the provisions of this act, he shall forfeit and pay, on the first conviction, $10 and the cost of prosecution, and shall stand committed until the same be paid; on the second conviction he shall pay $20 and the cost of prosecution, and shall stand committed until the same be paid; on the third and every subsequent conviction he shall pay $20 and the cost of prosecution, and shall be imprisoned in the common jail not less than three or more than six months. And if any clerk, servant, agent or other persons in the employment, or on the premises of another, shall violate the provisions of this section, he shall be held equally guilty with the principal, and on conviction shall suffer the same penalty. But nothing contained in this act shall be construed to prevent any chemist, artist or manufacturer, in whose art or trade they may be necessary, from keeping at his place of business such reasonable and proper quantity of distilled liquors as he may have occasion to use in his art or trade, but not for sale.

Sec. 5. Any forfeiture or penalty arising under the above section, may be recovered by summons or complaint before any Justice of the Peace, or Judge of any Municipal or Police Court in the County where the offence was committed. And the forfeitures so recovered shall go to the town or city where the convicted party resides, for the use of the poor, after deducting the cost of prosecution, including Counsel fees; and the prosecutor or complainant may be admitted as a witness on the trial. And if any Supervisor or Mayor shall approve of the commencement of any such suit, by indorsing his name upon the summons or complaint, the defendant shall in no event recover any costs. And it shall be the duty of the Mayor and Aldermen, or the Overseer of the Poor of any city, and the Supervisor or Overseer of the Poor of any town to commence an action in behalf of said town, city, or ward against any person guilty of a violation of any of the provisions of this act, of being informed of the same and being furnished with proof of the fact.

Sec. 6. In case the Mayor or any Alderman, or Overseer of the poor, or Supervisor of any city or ward, or the Supervisor or Overseer of the Poor of any town, shall fail to perform the duties assigned him by the last preceding section, any other person may assume and perform the same, in the name of the Overseer of the poor, or Supervisor, by giving surety to the Court or officer before whom he prosecutes, for the payment of all costs, if he shall fail to recover judgment, and making oath that the said Overseer or Supervisor has had (10) ten days notice of the offence, and has neglected to prosecute the same; and in all cases of such recovery under this section, one half of the sum recovered shall go to the complainant or person prosecuting in the name of such Supervisor or Overseer of the Poor.

Sec. 7. If any person shall claim an appeal from a judgment rendered against him by any Judge or Justice, on trial of such an action or complaint, he shall, before the appeal be allowed recognize in the sum of $100, with two good and sufficient sureties, in every case so appealed, to prosecute his appeal, and to pay all costs, fines and penalties that may be awarded against him upon a final disposition of such suit or complaint. And before his appeal shall be allowed, he shall also, in every case, give a bond, with two other good and sufficient sureties, running to the town or the city where the offence was committed, in the sum of $200, that he will not during the pendency of such appeal, violate any of the provisions of this act. And no recognizance or bond shall be taken in cases arising under this act, except by the Justice or Judge before whom the trial was had. The forfeiture of all bonds and recognizances given in pursuance of this act, shall go to the town or city where the offence was committed, for the use of the poor, and if the recognizances and bonds mentioned in this section shall not be given within forty-eight hours after the judgment, the appeal shall not be allowed; the defendant in the meantime to stand committed.

Sec. 8. The Mayor of any city, and the Supervisor of any town, whenever complaint shall be made to them that a breach of the conditions of the bond given by any person appointed under this act, has been committed, shall notify the person complained of, and if upon a hearing of the parties it shall appear that any breach has been committed, they shall revoke and make void his appointment. And whenever a breach of any bond given to the inhabitants of any city or town, in pursuance of this act, shall be made known to the Mayor and Aldermen, or Supervisor, or shall in any manner come to their knowledge, they or some one of them shall, at the expense and for the use of said city or town, cause the bond to be put in suit in any court proper to try the same.

Sec. 9. No person engaged in the unlawful traffic in intoxicating liquors, shall be competent to sit upon any Jury in any case arising under this act; and when information shall be communicated to the court that any member of any panel is engaged in such traffic, or that he is believed to be so engaged, the Court shall inquire of the Juryman of whom such belief is entertained, and no answer which he shall make shall be against him in any case arising under this act; but if he shall answer falsely, he shall be incapable of serving on any Jury in this State; but he may decline to answer, in which case he shall be discharged by the Court from all further attendance as a Juryman.

Sec. 10. All cases arising under this act, whether by action, indictment or complaint, shall take precedence in said court of all other business, except those criminal cases in which the parties are actually under arrest awaiting a trial; and the Court and prosecuting officer shall not have authority to enter a *nolle prosequi*, or to put the cause over, in any case arising under this act, except when the purposes of justice shall require it.

Sec. 11. If any three persons, voters in the town or city where the complaint shall be made, shall, before any Justice of the Peace, or Judge of any Municipal or Police Court, make complaint under oath or affirmation that they have reason to believe, and do believe, that spirituous or intoxicating liquors are kept or deposited, and *intended for sale*, contrary to the provisions of this act, *by any person not authorized to sell the same in said city, ward or town, under the provisions of this act*, in any store, shop, warehouse, or other building or place in said city, ward or town, said Justice or Judge shall issue his warrant of search, to any Sheriff, City Marshal, or Deputy, or to any Constable, or Special Marshal or Constable, to be appointed by the Judge or Court, who shall proceed to search the premises described in said warrant: and if any spirituous or intoxicating liquors are found therein, he shall seize the same, and convey them to some proper place of security, where he shall keep them until final action is had therein. But no dwelling-house, in which, or in part of which, a shop is not kept, shall be searched, until at least one of said complainants shall testify to some act of sale of intoxicating liquors therein by the occupant thereof, or by his consent or permission, within at least one month of the time of making said complaint, and contrary to this act. And *the owner or keeper of liquors seized as aforesaid*, if he shall be known to the officer seizing the same, shall be summoned forthwith before the Justice or Judge by whose warrant the liquors were seized, and if he fails to appear, or unless he can show by positive proof that such liquors are of foreign production, that they have been imported under the laws of the United States, and in accordance therewith, that they are contained in the original packages in which they were imported, and in quantities not less than the laws of the United States prescribe, or in casks containing at least 30 gallons, they shall be declared forfeited, and shall be destroyed by authority of the written order, to that effect, of said Justice or Judge, and in his presence, or in presence of some person appointed by him to witness the destruction thereof; and who shall join with the officers by whom they shall have been destroyed in attesting the fact on the back of the order by authority of which it was done. And if the owner or possessor of any liquors seized in pursuance of this section shall set up the claim that they have been regularly imported under the laws of the United States, and that they are contained in the original packages, the Custom House certificates of importation, and proofs of marks on the casks or packages corresponding thereto, shall not be received as evidence that the liquors contained in the said packages are those actually imported therein.

Sec. 12. It shall be the duty of any Mayor, Alderman, Supervisor, Assessor, City Marshal, or Deputy, or Constable, or Police Officer, if he shall have information that any intoxicating liquors are kept or sold in any shanty, hut or place of any kind for selling refreshments in any public place on or near the ground of any cattle show, agricultural exhibition, military muster, or public occasion of any kind, to search such suspected place, and if such officer shall find upon the premises any intoxicating drinks, he shall seize them and arrest the keeper or keepers of such place, and take them forthwith, or as soon as may be, before some Justice or Judge of a Municipal or Police Court, with the liquors so found or seized, and upon proof that such liquors are intoxicating, that they were found in possession of the accused, in a tent, shanty, or other place as aforesaid, he or they shall be sentenced to imprisonment in the County Jail for thirty days, and the liquors so seized shall be destroyed by order of said Justice or Judge.

Sec. 13. If any person arrested under the preceding section, and sentenced as aforesaid, shall claim an appeal, before his appeal shall be allowed he shall give a bond in the sum of $100, with two good and sufficient sureties, that he will prosecute his appeal and pay all fines, costs and penalties which may be awarded against him. And it on such appeal the verdict of the jury shall be against him, he shall, in addition to the penalty awarded by the lower court, pay a fine of $20. In all cases of appeal under this act from the judgment of a Justice or Judge of any Municipal or Police Court to the County Court, they shall be conducted in said County Court by the District Attorney, and said officer shall be entitled to receive all costs taxable to the State in criminal proceedings under this act, in addition to the salary allowed to such officer by law; but no costs in such cases shall be remitted or reduced by the prosecuting officer or the Court. In any suit, complaint, indictment, or other proceeding against any person for a violation of any of the provisions of this act, other than for the first offence, it shall not be requisite to set forth particularly the record of a former conviction but it shall be sufficient to allege briefly that such person has been convicted of a violation of the fourth section of this act, or as a common seller, as the case may be, and such allegation in any civil or criminal process in any stage of the proceeding before final judgment, may be amended without terms and as a matter of right.

Sec. 14. All payment or compensation for liquors sold in violation of law, whether in money, labour, or other property, either real or personal, shall be held and considered to have been recovered in violation of law and without consideration, and against law, equity and good conscience; and all sales, transfers and conveyances, mortgages, liens, or attachments, pledges and securities of every kind, which either in whole or in part shall have been for or on account of spirituous or intoxicating liquors, shall be utterly null and void against all persons and in all cases, and no rights of any kind shall be acquired thereby; and in action, either at law or eqity, touching such real or personal estate, the purchaser of such liquors may be a witness for either party. And no action of any kind shall be maintained in any Court in this State, either in whole or in part, for intoxicating or spirituous liquors sold in any other State or country whatever; nor shall any action of any kind be had or maintained in any Court of this State, for the recovery or possession of intoxicating or spirituous liquors, or the value thereof.

Sec. 15. All acts inconsistent with this are hereby repealed. This act shall take effect on the first Monday of July next, and no license to sell intoxicating drinks shall be valid from and after that day

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MEMORIAL OF THE PEOPLE OF COLOUR.

To the Honourable Members of the Senate and House of Representatives, of the Commonwealth of Pennsylvania.

This Memorial of the People of Colour of the City and County of Philadelphia, respectfully sheweth—That it is with sincere regret we have learned through the medium of the daily papers, that a Bill has been presented for the consideration of your honourable body, the adoption of which would materially affect us as a people, by depriving us of rights, immunities, and privileges (which should be guarranteed to every member of the human family), and peculiarly dear to us, who claim citizenship in the State of Pennsylvania, a State whose declaration of Rights commands the admiration of the world, and which also asserts, that all man are born equally Free and Independent, and entitled "to certain rights," the most prominent of which is the enjoying and defending Life and Liberty, protecting property and reputation; and pursuing their own happiness.

The Bill to which we have reference is that prohibitory of Free persons of colour immigrating into this State, while the door is thrown wide open to the inhabitants of all the nations of the earth who choose to adopt it as their home, and where all the rights of the most favoured citizen are extended to them.

There are many of us, citizens of this State (Pennsylvania), who have friends and relatives in other States, who would like to visit, come on business, or reside among us, who are industrious, sober and respectable, and have by economy become wealthy, possessors of property, and instead of becoming a burden upon the State, would aid materially in the liquidation of debts of the Commonwealth that accrue annually. We would not nor do not request your honourable body to extend to us (who have so long felt the hand of Prejudice and Oppression weighing so heavily upon us), any privileges that are not extended to others of a different complexion, who come into the State. A State which has set an example in days gone by, to all others of the Union, worthy of imitation; a State which we consider our home, and to which we are attached for many considerations, a State which we hope will never descend from the dignified position she has so long enjoyed, to take a retrograde march, by enacting hard laws upon a people already oppressed, circumscribing the area of Human Freedom, without any cause, except that we wear a hue different from their own, and which was given to us by Him who created all things; a State which for more than sixty years has been open to all who choose to come within her borders without distinction of colour, and which we hope will still so remain, that our brethren may be able to come and dwell among us, and we flatter ourselves that that Patriotism, that love of Liberty and Justice, which characterized the founders of the original Constitution, will be also prominent traits in your character, and that when the said Bill shall be called up for consideration, that it will receive its just doom, viz, its rejection.

Some of us and many of our fathers have enriched the soil by our toil and labour, and in the times of the Revolution, and the late war, when the blast of the trumpet and the rolling of the drum was heard sounding to arms, rushed with alacrity to the battle field (from all parts of the Union), and with a similar courage to that which characterized your fathers they entered into the conflict, fought, bled, and died, and aided greatly in achieving a glorious victory, and which resulted in the founding of a republic, that now attracts the wonder and admiration of the world; one of the brightest stars of the constellation being Pennsylvania, and we would therefore earnestly entreat your Honourable Body, as we have never abused the rights conceded to us; as our brethren have done nothing to justify such a measure; that it will not become a law. We, it is true, have been represented as a nuisance, as worthless beings, as an expense and incumbrance to the State, by those prejudiced against us, but amidst all the oppression, deprivation and difficulties we have to encounter, the majority of our people are nevertheless industrious and respectable, and not the degraded and worthless objects we are represented to be, but are by care and industry acquiring wealth education and property daily, and pay our portion towards defraying the expenses of the State.

In consideration of the above we will submit a few statistical facts, hoping that the truths therein contained will have a tendency to remove every unfavourable impression that may be entertained:

There are 120 Mutual Beneficial Societies, consisting of about 6,500 members, who expend annually for their sick and burying their dead -	$22,000 00
The amount of property in the city and districts, - - - - -	800,000 00
Public Property, - - - - -	148,000 00
Amount of House Rent paid, - -	239,000 00
Water Rents, - - - - - -	2,000 00
Volumes in Private Library, - - -	20,000
do Public do - - -	600
Debating Societies, - - - - -	3

Average number of Coloured Prisoners sent to County Prison, from 1835 to 1840, 121; from 1840 to 1845, 94.4; from 1845 to 1848, 79. 67.

Average number of Coloured Prisoners sent to the Penitentiary, from 1835 to 1840, 64.2; from 1840 to 1845, 41.8; from 1845 to 1848, 31.

Average number sent to both prisons for the first five years, 185.2; for the second five years, 136.2; for the third five years, 110.67.

These are the entire number of people of colour sentenced to hard labour in the two prisons, and the rapid and steady decrease is certainly remarkable.

Out of the 3,504 patients admitted into the Alms House in 1848, 523 were coloured. But it is well known that this was an extraordinary large number, in consequence of the prevalence of the Ship Fever which proved to be epidemic in a District of Moyamensing, where a great number of coloured persons resided.

The amount of out door relief to coloured people is not over 500, and we believe that at no time have our People been in a worse condition than above enumerated, but are improving daily in all that is calculated to make them good and useful citizens.

One of the most prominent reasons given for the passage of the said Bill is the assumed increase of paupers arising from the great influx of coloured people from other States. Which is not the case.

In conclusion your memorialists would entreat your Honourable Body not to close the door against the imigration of coloured persons into the State, and we will ever Pray.

John C. Bowers, James Mac Crummill, A. M. Sumner, Isaiah C. Wears, Stephen Smith, } Committee.

Signed in behalf of a large and overwhelming meeting of the Coloured Citizens, convened at the Philadelphia Institute, on the 16th of January, 1852.

Samuel Nickless, President,
Charles Bustill, V. Pres.
John C. Bowers, J. E. Glasgow, } Secretaries.

Philadelphia, Jan. 28, 1852.

—— The Maine Liquor Law, which had passed the popular body of the Rhode Island Legislature, was lost in the Senate, Yeas 11, Nays 20.

—— The Maine Liquor Law has been defeated in the Indiana State.

—— Emancipation of Slaves.—A bill is before the Louisiana Legislature requiring every person desirous of emancipating a slave, to give a bond to the Governor, before doing so, for his transportation beyond the limits of the State. In case such slave neglect to leave the State, he is to forfeit his freedom.

—— Judge Grayton Baker, one of the U. S. Court Judges for New Mexico, denies, under his own signature, a statement which has been circulated through the newspapers, to the effect that he has been purchasing slaves in Washington to take to New Mexico to work in the mines.

—— Classic Nomenclature.—A correspondent of the Nashville Banner, from Grand Bluff County, Texas, gives rather a novel list of the names of villages and sentiments in that neighbourhood, as follows:—East of our vicinity are Buck-snort, Doe-bleat, and Lick-skillet. North, Nip-and-tuck. West, Black-ankle, Scarce-of-fat, "Possum-trot, Slip-up-and-snatch-it, Step-and-fetch-it, Gourd-neck-valley, and Rake-pocket."

—— Slave Case.—The grand jury have found a true bill in the case of the State vs McCreary, charged with false imprisonment in the arrest and detention of the girl Rachel Parker, the alleged slave of L. Schoolfield. Preliminary to this finding, the grand jury investigated, of necessity, the question relating to the civil conditition of the girl, and arrived at the conclusion that she was free.—*Balt. Sun.*

——Progress of Association.—We (*Tribune*) learn that the North American Phalanx, in Monmouth Co., N. J., has just declared a dividend of 4 per cent. upon its capital stock for the past year. This is the first cash dividend made since its organization, which took place some ten years ago. This dividend is made after paying a competent reward to the labourers in every department of the institution. The Phalanx has struggled through great difficulties arising from want of sufficient capital and other causes of weakness attendant upon the organization of new relations of industry and social life. These difficulties have been met and manfully overcome, and we congratulate our friends in the institution, upon the attainment of their present substantial and secure condition, as well as upon the happier mode of life and larger means of personal improvement, which their Association enables them to enjoy.

Deaths.

Ware.—In Cambridge, Mass. on the 19th instant, Rev. William Ware, author

Miscellany.

LUCES LITERARIÆ.....By Friar Lubin.

There is one department of psychological literature which has never been properly explored, so far as I know. The literature of the world yet lacks its book on the Curiosities of Wills.

I do not propose to supply the deficiency, but I have recently made some memoranda, *pour servir*, &c., which I place at your service, and you may do with them as you please. You know it is not my place to write books, but to read them.

My attention was directed to this subject the other night by casually meeting in an old newspaper a copy of Fenimore Cooper's last will, which, in about six lines, transmitted all his property to his wife, and made her its sole executor. The affectionate confidence in the partner of all his earthly joys and sorrows which this little document displayed, was so unique, its simplicity and brevity were so unlike the professional formulæ on which the goods of this world are commonly launched from one generation to another, that I involuntarily connected the act with its author's fame, and marked it as a trace of his greatness.

My meditations upon this subject naturally led me to consider by what peculiarities, if any, the wills of other eminent men had been distinguished, and to what extent they had seemed to realise, in preparing them, that they were holding communication with this world from the other side of the grave.

I soon got to the bottom of all I remembered of testamentary literature, without deriving much satisfaction; I then turned to my library, and with pen in hand, according to my custom, proceeded to note the results of my investigations. I send you to-day some notes which I have huddled into a little shape, and I will send you a few sheets more one of these days, if you find these worth printing.

LORD BACON'S WILL.

Bacon's will commences with a passage as often quoted as any of his writings:

"For my burial, I desire it may be in St. Michael's "Church, St. Albans: There was my mother buried "and it is the parish church of my mansion house "of Gorambury, and it is the only Christian Church "within the walls of Old Verulam.

"For my name and memory, I leave *it* to men's "charitable speeches, to foreign nations and the "next ages."

This passage, in spite of its bad grammar, has given to Bacon's will a distinction which belongs to no other document of the class. It is the only will extant, so far as I know, which has rank among the literary achievements of the testator.

Nothing, probably, that Bacon ever wrote, has done so much to disarm censure and to secure an indulgent interpretation of his official delinquencies. It imports a self-reliance and a consciousness of power which commands the respect of men in spite of all he had done to forfeit it.

The touching allusion to the memory of his mother, Lady Anne Bacon, who was a daughter of the learned Anthony Cook, and almost as celebrated as himself for her acquirements, is a feature in Bacon's will, which, so far as I know, has never been remarked upon. It is more noticeable as presenting the only evidence of tenderness and deep feeling in the whole document.

Bacon had no children, and something seems to have occurred to alienate his affection from his wife before his death; for though in the beginning of his will he leaves her a number of specific legacies, and enumerates the probable amounts she will receive under them, which, he says, "I here set down, not "because I think it too much, but because (in order "that) others may not think it less than it is." Before he closes, he adds: "Whatsoever I have "given, granted, confirmed, or appointed to my wife, "in the former part of this my will, I do now, *for just* "*and great causes*, utterly revoke and make void, and "*leave her to her right only*."

This is not introduced as a codicil, but constitutes a part of the body of the will. His motive in making the original bequests or the occasion of his apparent change of sentiment, as indicated by their deliberate and somewhat stern repeal before execution, furnishes an interesting subject for speculation. I am not aware of anything left on record by himself or his biographers, which can explain his purposes. His allusion to "just and great causes" for revoking his grants to his wife, make it quite clear that his mind underwent a very substantial change towards her, between the period of commencing and concluding his will; and by his allusion to its causes, he evidently meant to signify that he had not overlooked her natural claims nor acted without a motive. This would import that his heart was not simply alienated from his wife; he must have hated or despised her. History has recorded no provocation for this feeling towards Lady Bacon.

Rawley, Bacon's chaplain, and the best authority upon a point like this that can be quoted, says that he received from his wife, who was one of the daughters of Benedict Barnham, an Alderman of London, "a sufficiently ample and liberal portion in "marriage. Children he had none: which, though "they be the means to perpetuate our names after "our deaths; yet he had other issues to perpetuate "his name: the issues of his brain, in which he was "ever happy and admired; as Jupiter was in the "production of Pallas. *Neither did the want of chil-*"*dren detract from his good usage of his consort* during "the intermarriage; whom he prosecuted with "much love and respect, with many rich gifts and "endowments, besides a robe of honour which he "invested her withal, which she wore until her "dying day, being twenty years and more after his "death."

This passage would seem to have been intended to meet and counteract the suspicion awakened by the unaccountable clause to which we have referred in his will; and countenances the impression that among the gossips of that day, his want of children may have been thought to have had something to do with it.

Bacon's extraordinary and unexplained treatment of Lady Bacon lends an interest to the fact, that her sister's husband, Lord Castlehaven, was hanged with his accomplices, for his ill treatment of his wife.

Bacon was not married until after he was forty years of age; he lived with Lady Bacon about twenty-five years, and she survived him about twenty years.*

JOHN MILTON'S WILL.

To whatever extent Bacon's last will and testament repaired his personal reputation, Milton's impaired his in a corresponding proportion. It is true that Bacon's was written with great deliberation, and Milton's was nuncupative, the verbal expression of his wishes in the presence of his brother and servants at different times, and when perhaps he was under the influence of some temporary irritability, but the language he was accustomed to use in his family when speaking of his first wife and her daughters, grates painfully upon the hearts of those who, like myself, have inclined to look upon Milton as an approach to a realization of ideal manhood. He was reputed to be the handsomest man of his age, he was its most accomplished scholar, he was perhaps the greatest poet of any age. As a statesman, his mind anticipated the wisdom and experience of centuries, and, in every aspect, his genius must, through all time, be the marvel of the world. He was withal a man of unimpeachable honour, of spotless integrity, and a devoted Christian. The will which he left behind him, however, has been appealed to as evidence of an intolerant, irritable, and vindictive disposition, which, in the estimation of many, has lowered him from that eminence to which the concurring admiration of the civilized world had raised him.

As the existence of this will and the final disposition of it are but little known, and as it has rarely been noticed by his most popular biographers, I will recapitulate the prominent facts of its history.

Milton was married three times. By his first wife, the famous Mary Powell, he had three daughters, Anne, Mary and Deborah; by his other wives he had no children. When he married Mary Powell, her father contracted to pay Milton, as her marriage portion, £1,000. In consequence of the defeat of the royalist party, to which Mr. Richard Powell was attached, and his own imprudence, his means were so reduced that he was never able to pay Milton this sum. It is suspected, however, that he was the less solicitous about the obligation because of Milton's prominent connection with the revolution which had ruined him. It is also probable that, just in so far as Milton suspected that motive to have operated upon Mr. Powell, was he indisposed to treat the breach of the marriage bond with indulgence.

At the age of fifty-four, and after he became blind and otherwise infirm, Milton married his third wife, Elizabeth Munshell.* Immediately after the poet's death, his widow applied to the proper authorities for probate of a nuncupative will, which she alleged had been dictated by her husband shortly before his death, to his brother Christopher Milton,† in the presence of two servant maids in the family, Elizabeth and Maria Fisher.

The application was contested in the Prorogative Court by Mary, Anne, and Deborah Milton, the poet's three daughters by his first wife, who claimed to be the heirs at law of the estate of their father.

Christopher Milton was the first witness examined, and his testimony gives substantially all that is known of the origin of this singular document.‡

His testimony was entered in the records of the Court, as follows:

"Quinto Decembris, 1674. Christopherus Milton villæ Gipwici, in com. Suffolciæ, ortus infra parochiam Omnium Sanctorum *Bredstreete*, London, Ætat 58 Annor., aut eo circiter, testis, &c., ad omnes articulos dictæ allegationis, et ad Testamentum nuncupativum Johannis Milton, generosi, defuncti in hoc negotio dat., et exhibit, deponit et dicit,—That on or about the twentieth day of July, 1674, the day certaine he now remembereth not, this deponent being a practicer in the Law, and a Bencher in the Inner Temple, but living in vacations at Ipswich, did annually, at the end of the terme, visit John Milton, his, this deponent's brother, the Testator articulate, deceased, before his going home; and soe at the end of Midsummer Term, last past, he, this deponent, went to visit his said brother, and then found him in his chamber, within his owne house, situate on Bunhill, within the parish of St. Giles, Cripelgate, London; and at that tyme, he, the said Testator, being not well, (and this deponent being then going into the country), in a serious manner, with an intent, (as he believes), that what he then spoke should be his Will, if he dyed before his, this deponent's coming the next time to London, declared his Will in these very words, as near as this deponent can now call to mynd; viz.: 'Brother, the porcion due to me from Mr. Powell, my former (first) wife's father, I leave to the unkind children I had by her; but I have received noe part of it, and my Will and meaning is, they shall have no other benefit of my estate than the said porcion, and what I have besides don for them; they having been very undutiful to me. And all the residue of my estate I leave to the disposal of Elizabeth, my loving wife.' She, the said Elizabeth, his, the deceased's wife, and Elizabeth Fysher, his, the deceased's then maide-servant, was, (at the) same tyme, going upp and downe the roome, but whether she then heard the said deceased soe declare his Will, as above or not, he knoweth not.

"And the said testator, at the premises, was of perfect mind and memory, and talked and discoursed sensibly and well, et aliter nescit deponere.

{"Signed) Chr. Milton."

To cross interrogatories addressed to the witness, he farther testified that the will was declared to him in a forenoon, and on the very day deponent was going into the country by the Ipswich coach, which left about noon or thereabouts. That the deceased was ill of the gout, and "that what he then spake "touching his Will was in a very calme manner; "only [he] complained, but without passion, that "his children had been unkind to him, but that his "wife had been very kind and careful of him; and "he believeth the only reason induced the said de-"ceased at that time to declare his Will was, that "he, the deponent, might know it before his goeing "into the country."

To another cross interrogatory, the witness stated that he only heard the deceased say of the children at the time of declaring his Will, "that they were "undutifull and unkind to him, not expressing any "particulars; but in former tymes, he had herd him "complaine, that they were careless of him, being "blind, and made nothing of deserteing him."

To another cross interrogatory, the witness stated that he "did draw upp the very Will executed in "this cause, and write it with his owne hand, when "he came to this court, about the 23d of November "last past, and at that time the respondent did read "the same all over to Elizabeth Fisher, the said de-"ceased's late maid-servant, and she said she remem-"bered the same, and in confirmation whereof, set "her marke thereto in manner as on the same Will "executed in this cause is now seen. And this re-"spondent waited on the said deceased's widow once "at Doctor Exton's chambers about this suite, at "which time she wanted some half crownes, and this "respondent lent her then two half crownes, but "more he hath at noe tyme paid either to Doctor or "Proctor in this cause."

The next witness called was Maria Fisher, who testified that, about a month before Milton's death, § while the deceased and his widow Elizabeth were at dinner in their kitchen, about noon, he among other things "did then speake to his said wife, and utter "these words, viz: Make much of mee as long as I "live, for thou knowest I have given thee all when I "die at thy disposal." The witness farther testified that her sister Elizabeth was present, and "that the "said deceased was at that time of perfect mind and "memory, and talked and discoursed sensibly and "well, and was very merry, and seemed to be in good "health of body."

The other witness called was Elizabeth, who appears to have been Milton's only servant. She testified that, in the month of July preceding his death, while she was in attendance upon Milton and his wife at dinner in their lodging chamber, Milton, seeming well pleased with something which had been prepared for him, said these or the like words, viz: "God bless mercy, Betty, I see thou wilt performe "according to thy promise in providing mee such "dishes as I think fit whilst I live, and when I dye "thou knowest that I have left thee all." At the time of making this remark, the deceased was of sound mind and memory, but somewhat "indisposed "in his body by reason of the distemper of the gout "which hee had then upon him." The deponent farther testified that she had several times heard Milton declare that he had spent the greatest part of his estate in his lifetime in providing for his children, and "that hee was resolved hee would doe noe more "for them, liveing or dyeing, for that little part "which hee had left he had given to his wife, the "articulate Elizabeth, the producent, or he used "words to that effect."

Upon her cross-examination, the witness testified that she was still the servant of Mrs Milton; that she once heard Milton make substantially the same declarations on a Sunday, but in what month she could not say; that at the time he was troubled with the gout, but was very merry, and did not speak anything against any of his children.

The witness farther testified upon her cross-examination, that upon one occasion Milton told her "that "a little before hee was marryed to Elizabeth Mil-"ton, his now relict, a former maid-servant of his "told Mary, one of the deceased's daughters, and one "of the ministrants, that she heard the deceased was "to be marryed, to which the said Mary replyed to "the said maid-servant, that that was noe news to "heare of his wedding, *but if she could heare of his* "*death, that was something*; and further told this re-"spondent, that all his said children did combine to-"gether, and counsel his maid-servant to cheat him, "the deceased, in her markettings, and that his said "children had made away some of his bookes, and "would have sold the rest of his bookes to the dung-"hill women," &c. ‖

This witness farther testified on her cross-examination, that Anne Milton, one of the daughters, is lame, but has a trade, and can live by the same, which is the making of gold and silver lace, and *which the de-*ceased bred her up to.

Such was the substance of the testimony in this unhappy controversy. It was heard before Sir Leoline Jenkins, and rightfully decided against the widow and against the validity of the will, although there is no room to doubt that all the witnesses testified to the exact truth in every particular. There were two insurmountable obstacles to sustaining the will: first, it did not appear that there was what in the civil law is termed a rogation of the witnesses, that is, a solemn bidding of them to take notice that what he was about to say was designed as his last will and testament. It does not appear that any two of the witnesses testified to the same declarations.

In the second place, it did not appear that the testamentary declarations were made *in extremis*, or in the last sickness of the deceased, but on the contrary, while he was in comfortable health. Both these circumstances were fatal to the validity of a nuncupative will, under the civil law, which was then in force, as to nuncupative wills in England.* Sir Leoline, accordingly, refused to admit the will to probate, and directed letters of administration only to issue to Mrs. Milton. Thus, the three "undutiful and disobedient" daughters of the poet became his heirs at law, in spite of his fixed and undoubted purpose to leave all his property to his widow. How much his income was, it is impossible to say, but that it was very moderate, so moderate as to compel him to observe the strictest frugality, is universally conceded. Between political proscription and the faithlessness or misfortune of friends, and the great fire of London, he lost the bulk of his accumulations, some five or six thousand pounds. The shares which fell to the daughters, at all events, were not enough for their support.

How far Milton was himself responsible for his unhappy domestic relations with his first wife, will always remain a matter of controversy. Two or three things is clear: first, that with his second and third wives he lived harmoniously and contended: second, that he had no respect for his first wife, neither for her mental capacity or her integrity. He doubted her sincerity when she professed to have repented deserting him, though he received her into his house and permitted her to live with him for the remainder of her life. Thirdly: he entertained a bitter hatred of Mrs. Powell, his first wife's mother, and attributed to her influence, doubtless with justice, much of his wife's perversity and folly.

It is also clear that Milton was a stern and exacting father, whose demeanour towards his children enabled their mother readily to get a controlling influence over their hearts, which resulted in alienating them in some measure from him, and in destroying much of the interest which under other circumstances he would have naturally taken in them.

On the other hand, I do not think that there is any satisfactory evidence that Milton compelled his daghters, to weary themselves with reading to him in languages they did not understand. It may have been that he occasionally asked such assistance, and thus furnished a pretext for the accusation, but that he did so to a tyrannical excess is wholly unsustained by competent proof.

In the preface to Paludanus's Dutch translation of the Paradise Lost, published in 1730, there is a circumstantial account of Addison's visit to Milton's daughter, supposed to be Deborah, which Paludanus says he had heard from an English gentleman sometime after his death. It occupies about an octavo page, and contains some particulars which have but recently, for the first time, appeared in English, in Pickering's new and splendid edition of Milton's complete works:

"I shall conclude this preface with something to the honour of Mr. Addison, which was told me by a gentleman who is a native of England. It is as follows: Some years ago, Mr. Addison, whose reputation is as high for virtue and genius as for the services he rendered to the Crown of Great Britain in various important stations, happened to hear that a daughter of Mr. Milton was still living, and resident in London, in one of the poorest parts of the town. He set off for the place in his carriage, and when, on his arrival, the door was knocked at, and inquiry made if the daughter of Mr. Milton resided within, the person who opened the door, replied that she, herself, was his daughter. Knowing from the biography of Milton, that sometimes in his studies, and particularly in his blindness, during which his incomparable poem was composed, he had had Greek and Latin authors read to him aloud by his daughters, in the same manner as if they had been acquainted with the classical languages, Mr. Addison asked Miss Milton if she happened to have a Greek Homer at hand, and on her answering in the affirmative, requested her to let him see it. She brought it to him and read some pages of the Iliard aloud in Greek, and in such a manner that a person who was completely master of the Greek language could not have done it better. Mr. Addison seeing from this that she was really a daughter of Milton's, expressed his regret that the daughter of so great a man should be reduced to narrow circumstances, almost to poverty, and gave her, at the same time, a handful of gold, with the promise that he would continue to support her; a promise which this noble-minded man no doubt did not fail to perform till his own death, or that of Miss Milton."

This was Deborah, the favourite of her father, though, in consequence of a disagreement with her step-mother, a few years before Milton's death, she left home, and went to reside in Ireland. As a proof of her tender recollections of her father, Todd relates that, on being shown Faithorne's crayon drawing of him, by Vertue, she cried out, "Oh Lord! that is the picture of my father! How came you by it?" and, stroking down the hair of his forehead, she said, "Just so my father wore his hair."—*Evening Post.*

* It is a little extraordinary that Montague, whose devotion to Bacon is more conspicuous in nothing than in the undiscriminating profusion with which he has emptied everything relating to his idol into his elaborate edition of the philosopher's works, should not have given a copy of this memorable will. It may be found in Mallet's Life.

* Two years later these provisions were included in the famous statute of frauds of the 29th Charles II.

* Milton's first wife died in 1653. In 1658, he married his second wife, a daughter of Capt. Woodstock, who died in childbed the next year. No offspring survived.

† Christopher was John Milton's only brother. He was a loyalist, a papist, a barrister of some repute, and after his illustrious brother's death, became a judge. He was knighted by King James. During the Rebellion, he compounded for his estate for £200.

‡ The testimony in this case was exhumed from the archives of Doctors Commons, through the instrumentality of Sir Wm. Scott, and placed at the disposition of Mr. Warton, by whom it was first submitted to the public.

§ This would be about the 15th of October, as Milton died the 15th of November, 1674.

‖ The remembrances or fancies here alluded to may be presumed to have found expression in the following lines in *Samson Agonistes*, 70—82.

Light, the prime work of God, to me is extinct,
And all her various objects of delight
Annulled, which might in part my grief have eased,
Inferior to the vilest now become
Of man or worm; the vilest here excel me.
They creep yet see, "I dark in light, exposed
To daily fraud, contempt, abuse, and wrong
Within doors or without, still as a fool.
In power of others, never in my own;
Scarce half I seem to live, dead more than half.
O dark, dark, amid the blaze of scorn,
Irrecoverably dark, total eclipse
Without all hope of day!"—*Samson Agonistes*, v. 75.

HUNGARY IN 1850.

If a brave, united people like the Hungarians have been able to contend with the most powerful and best-appointed armies that Europe had seen since the days of Napoleon, in defence of their constitutional privileges, now that they have succeeded in gaining to their cause their former enemies, the Slavonians, the next struggle may be attended with serious results; and how numberless are their wrongs! An outraged people; a dismembered country; a second Poland; their chiefs massacred, or wandering in penury and exile in the land of the stranger! As might be expected, now that a reaction has taken place in the popular feeling, in every town, village, or hamlet throughout the land, whether inhabited by Hungarian, Slavonian, or Wallachian, a cry of vengeance and the name of Louis Kossuth trembles on every lip—their guardian angel, who is to deliver them from the thraldom of Austrian bureaucracy, martial law, multiplied taxes, and all the harrassing chicanery of a host of needy German placemen, lording it over them in the harsh tones of a language with which they are unacquainted.

Even the Ban, Jellachich, otherwise a most estimable man in private life, so recently the hero of the Croatians, is now denounced by his own countrymen as a traitor; and Rajachich, the martial patriarch of the Voivodina of the Servians, as a Russian satrap; while the name of Gorgey, who sold his country, has already become a by-word and a reproach among all classes of the population.

The inhabitants of Western Europe, with all their cares and worldly occupations can form no idea of the excitement of this people, who, infuriated by recent disasters, have directed their every thought and energy to the means of again wresting their country from the grasp of the German stranger. The fair sex even outvie the men in their enthusiasm; and truly we cannot but admire the patience of the poor Austrian soldier who has to endure scoff and taunt from lips as beautiful as ever smiled on man.

In all the large towns we behold multitudes of these lovely Amazons, in the deepest mourning, fulfilling their oath never to cast it off until Hungary is again independent; others wearing the national colours in the various articles of their dress, to manifest at the same time their patriotism and contempt for the rule of the German; and all are decorated with bracelets and necklaces made from the coins issued during the government of Louis Kossuth. Again, not one of these patriots, whether male or female, will now utter a word of German, although we found that language universally spoken during our visit to Hungry in 1847, not only by the higher classes, but by nearly every merchant and shopkeeper, and in all the inns throughout the country. This war against the German language, and everything German, is carried on with equal violence in Pesth, the capital of the Hungarians, as in Agram, the capital of the Croatians, and indeed in all the towns through which we passed in 1850; and the same degree of excitement and discontent exists, notwithstanding that the entire country is under martial law, and 150,000 Russians lying on the frontier, ready to assist the executive in case of need.

This is precisely what might be expected on the reaction which followed the war in Hungary, the fate of every government that resorts to expedients to preserve it from falling. The Croatian and Servians, who had fought so long and bravely by the side of the Imperialists, found, instead of becoming the lords of the land, which they had been led to expect as the reward of their loyalty, that they had exchanged the mild rule of the Magyar for the harsh despotism and intolerance of the Austrians, with their vexatious bureaucracy, army of spies, passports, and multiplied taxes. The discontent thus excited was adroity taken advantage of by the Hungarian party, which led to a sanguinary collision between the executive and the Croatians, at Agram, and the Servians and the Wallachians in some districts of the Voiavodina, and the Bukowina, and Transylvania. The ill-feeling this created aided the Hungarian cause by adding to the number of their allies, and at the same time increased the difficulty almost to hopelessness of any real conciliation between the inhabitants of these provinces and a German ruler.

At any other epoch but the extraordinary one in which we now live, or under the rule of any other but that of the bigoted, priest-ridden princes of the house of Hapsburg, in every age the enemies of civil and religious liberty, time might have the effect of softening the bitter feeling that now exists among the inhabitants of this distracted country. Even the fiery Magyar might forget, in amalgamating with the German, that he had been the denizen of free, independent Hungary; but when we know that the first war, or revolutionary outburst in France, Germany, Italy, or Poland, will be sufficient to convulse Europe, it cannot be doubted for a moment that a people like the Hungarians, full of the robust strength of youth, and already drunk with military glory, will be the first to grasp the spear. In fact, the spirit of nationality, and a determination to assert their independence, never rose higher than at this moment; and now that they have succeeded in cementing a union with their compatriots, the Slavonians, like the Normans and the Saxons of the olden time in England—which two races they each respectively resemble in character, combining the fiery bravery of the one with the cool intrepidity of the other—it is not too much to say that they are destined to take a prominent part in the great events which are fast preparing in those provinces of Austria and European Turkey. The movement of the inhabitants to secure to themselves a political existence, has been going on with redoubled energy since the intervention of Russia in the affairs of Hungary, and the military occupation of Moldavia and Wallachia; aided and abetted as it is by every man of intellect and enterprise among these various races, and who we may be assured only await a favourable moment to form a confederation of interests and declare themselves independent. . . . . .

During my homeward route from Agram, in Croatia, through part of Carinthia, Styria, Upper Austria, and Salzburg, I was accompanied, as my travelling companion, by a divine of the Roman Catholic Church, M. Goetz, prior of the Stift Schotten, in Vienna, a very worthy man, as liberal in his religious sentiments as he was intellectual and devoted to his sacred calling. This circumstance afforded me an opportunity of judging of the state of religious feeling among the inhabitants of these provinces, formerly so remarkable for their attachment to the house of Austria, and to the old creed.

The change was most remarkable; fifteen years had only passed away since I travelled over these provinces, and, in my work on Germany, alluded to the debasing superstitions of their inhabitants, and the immorality I witnessed among the thousands of devotees assembled to pray at the shrine of the far-famed Maria Zell, in Styria. At that period the Roman Catholic clergy of Austria revelled in the pomp and pride of sacerdotal majesty; wherever they appeared, they were almost worshipped by these simple mountaineers. Innumerable crucifixes lined the sides of the highway; blessed Madonnas and relics of saints exercised their miraculous powers in nearly all the churches; stations with their richly decorated temples were seen rising on certain holy mountains, which some sainted hermit, legend or miracle, had consecrated, and to which thousands and tens of thousands of pious pilgrims were accustomed to repair at stated periods, barefooted, bareheaded, and some even crawling on their knees, to offer up their devotions.

The altars, the shrines, and the crucifixes remain. Madonnas and relics perform their miracles in obedience to Imperial authority; but the spirit that attracted the votaries of former days is now exchanged for indifference and contempt; a fact which we heard repeated at all the monasteries and ecclesiastical institutions we visited, the holy fathers deeply deploring the spread of heresy, democracy, and socialism among the people. It is true, the inhabitants of isolated mountain villages still adhere to the superstitions of their fathers; but wherever we found the people mingling with the more intelligent population of the towns, they had caught the infection; and the propagandists must have been numerous, and indefatigable in their exertions, to have caused such an extraordinary revolution in the minds of the once benighted inhabitants of these mountain provinces of Austria, more especially when we remember the short time that has elapsed since my last visit.—*Spencer's Travels.*

HEAT AND VENTILATION.

General observations on the Atmosphere and its Abuses, as connected with the common or popular mode of heating public and private buildings, together with practical suggestions for the best mode of warming and ventilating.

Rochester, D. M. Dewey, Arcade Hall.

Believing, as we do, the *intemperance* of breathing bad air, is a national curse in America, which is, at the present moment, hurrying a thousand-fold more victims annually to the grave, than any other species of intemperance, we hail with pleasure any symptoms of awakening attention to the condition in which so many millions of our countrymen voluntarily pass so large a part of their lives.

The work whose title we have just named, is an unpretending pamphlet of 59 pages, published by D. M. Dewey, at Rochester. It is mainly occupied with a very simple and clear statement of the necessity to the health of the human system, of pure air, and some system of ventilation in our dwelling houses. The wholesale system of poisoning men, women and children, daily going on all over the country, by tight coal stoves, and wherever one travels in cars and steamboats, by little "salamanders" of red hot iron, and whenever one goes to a crowded lecture room or place of public amusement, by the continual hearing over of the poisonous carbonic acid gas expired from the lungs—these are the topics which the author of this pamphlet, like ourselves, and others who have handled this subject, dwells upon, with wonder that intelligent beings can overlook their importance. If there is any "infernal machine" in America, it is a close stove that becomes red hot. We have preached from this text—(and we believe not without some effect, since we notice a stove-maker in Ohio advertises a ventilating stove, expressly intended to obviate the objections we have urged,) and we hope the press everywhere will take up the crusade, until this cursed invention to poison the pure air of heaven is utterly banished from the land. We shall quote for the benefit of our readers, what the author of this pamphlet has to say about the matter:

"But when we reflect upon the face, that throughout the whole country, as soon as fuel becomes a little scarce, the open fire place in any and every form, is pretty generally closed to give place to the stove; we meet an evil which has been growing upon us for the last quarter of a century to an alarming extent. It is, however, true that in large towns, particularly where coal is easily obtained, the open grate in the best class of houses is quite generally used. The business of stove-making in most of the large towns in this State and throughout the country, has become quite the leading branch of manufacturing. Any one who will take the trouble to visit such establishments in Albany, Utica, Syracuse, Seneca Falls, Lockport, and Buffalo, will, if unacquainted with the business, be astonished by the number which are annually turned out from these various establishments. The infinite variety, the taste and skill displayed not only to their external appearance, but in their fuel-saving qualities, demonstrate that the demand must be almost unlimited. The venerable Dr. Nott, of Union College, and Prof. Olmstead of New Haven, and many other intelligent gentlemen, have devoted a great deal of time, labour, and practical philosophy to the invention of stoves which would give off the greatest amount of radiant heat with the least quantity of fuel. In this they have been very successful, and, if warming a room in this form, were all that its inmates required, mankind would be under lasting obligations for the philanthropic efforts of these distinguished scholars. From the tenacity with which they have adhered to their several models, one would suppose they were entirely unconscious of the consequences of introducing such a fuel-saving apparatus into a close room without any means of ventilation. Although the Germans, Russians, and French formerly excelled us in their construction of stoves, we are probably quite equal to them at the present day. The poorer classes in Germany and Russia, probably make their houses much closer than ours, and exceed our people in saving all the heat generated. In Russian, the great mass of the population exclude the external air in cold weather as far as possible, and they much prefer to respire the vitiated air to any admission of cold air, for the simple purpose of improving the atmosphere of their rooms.

"Among the poorer classes, fainting or asphxia is, by no means, uncommon, and all their rooms have that close, unhealthy smell which is so common among those who live in underground cellars in our own large towns and cities. With such an atmosphere as this and common as it is among the Russians, we need not wonder that Cholera remains among them during winter, while in cold weather in other countries it ceases. Although many of the most scientific men of the present day—several of whom are of the medical profession—have depicted in the strongest language, the injurious and oftentimes fatal consequences of this mode of heating buildings; still very little attention is given to their warnings. Within the last two or three years, many of the most distinguished writers of the age have written volume after volume, upon the necessity and feasibility of ventilating our dwellings. The great mass even of intelligent and educated persons seem to be unaware of the disease, pestilence, and death, so often resulting from the use of what is called the "tight air-stove," and the manufacturers of the article are making as many preparations for the continuance of the demand as though their wholesome qualities were as well established as the elegance of their various designs and patterns. It is a very common thing for persons who are abundantly able to secure all the comforts of life even in profusion, and construct a dwelling-house in strict accordance with all the modern improvements in domestic architecture, to leave out entirely the fire-place, and in its stead have a small circular opening, six inches in diameter, to be closed perfectly tight during summer, and opened only in winter; to receive the smoke-pipe of a fuel-saving salamander, which shall admit no more air than is barely sufficient to support the combustion of the fuel. He will avail himself of the skill of the architect, to make all his windows and doors perfectly tight, and as the cold weather approaches, he will oftentimes invite his neighbours in to spend the evening socially and at the same time demonstrate by the small amount of fuel which he uses, that he has the best stove and the warmest dwelling in town. Indeed, the whole company will soon testify to the fact that the room is really warm—so warm that they are inclined to leave early in the evening, and if the same persons should frequently visit similar establishments they would soon come to the conclusion, that going out on evening visits is very unwholesome—a species of dissipation which ought to be abandoned. The owner of such an establishment, as the one alluded to, is generally far from being parsimonious, and very likely fond of giving sumptuous entertainments, and in all the intercourse with his family and society may manifest the most generous feelings, and show his liberality in a thousand acts of kindness and benevolence; but did he know the consequences upon himself, family, and friends of his heating apparatus, its fuel-saving qualities would have very little influence upon him. We are fully aware that to those who are poor, and find it hard in cold climates to secure fuel enough to keep themselves warm—the tight air-stoves is perhaps the best thing for them under such circumstances, which can be introduced into their humble abode. But in such rooms as they are generally obliged to occupy, they suffer much less for the want of ventilation than those who live in houses where all the windows and doors are so nicely fitted, that the external air is entirely excluded. In many of the coal stoves which have lately been introduced, the coal burns so slowly, that the carbonic acid gas, which is generated being half as heavy again as the atmospheric air, cannot ascend through the smoke-pipe and chimney-flue with the temperature which is generally maintained a few feet from the point of combustion. Dr. Ure, one of the most scientific writers of the day, says that "carbonic acid gas cannot ascend at the temperature of 250 deg. F.," but regurgitates into the apartment through every pore of the stove and poisons the atmosphere. "I have," says he, "recently performed some careful experiments upon this subject," and find that when the fuel is burning so slowly, in the stove as not to heat the iron-surface above the 250th or 300 degree of Fahr., there is a constant deflux of carbonic acid gas from the ash-pit into the room. "I shall, he says, "be happy to afford ocular demonstration of this fact to any incredulous votaries of the pseudo-economical, anti-ventilating stoves now so much in vogue. There is no mode in which the health and life of a person can be placed in more insidious jeopardy than by sitting in a room with its chimney closed up with such a choke-damp-vomiting stove."

The pamphlet is filled with suggestions and explanations relating to the best mode of ventilating and warming, much of which we have published in the "Country Houses"—but which we trust will meet a wider circulation in this form. If a million of copies could be circulated in the United States, it would be an immense and incredible saving of health to the people at large.

Bad air is a "slow poison." That is the trouble. People go on taking it into their lungs day after day, and night after night. They grow pale, their lungs suffer, the circulation is languid, they take colds readily; the chest, the stomach, the skin, become disordered, and a host of chronic diseases attack them. A little carbonic acid taken every day don't kill a man. It is almost a pity it did not! If a red-hot stove destroyed, instantly, one man in every town daily, for a week, there might be some salvation for the nation. If instead of fainting away in crowded and badly ventilated public assemblies, people occasionally died out-right in convulsions, the authorities would take the matter in hand, and make it penal for the owners of such buildings to open them for public use without attending to the proper conditions for the preservation of health. When a thing is only a "slow poison," the age is too much in a hurry to attend to it.

In such cases we must wake up the public lethargy by facts. And here is one of them. We have before us the History of the Dublin Lying-in Hospital. Some years ago, this building, erected in the common way, without the slightest regard to ventilation, was found to exhibit a great amount of mortality among the young children born there. In four successive years—healthy seasons too—out of 7,650 infants brought forth in the hospital, 2,244 died within the first fortnight after birth, of convulsions, or what the nurses call nine-days fits. These children foamed at the mouth; the jaws became firmly closed; the face swelled and assumed a purplish hue, as though they were choking. "These last circumstances suggested to the physician that a defiency of wholesome air was connected with the great mortality." Air pipes were immediately contrived; the various rooms were well ventilated. What was the result! That in the three following years, out of 4,243 children born in that hospital, only 165 died. In the very same rooms, too, where, according to the old ratio, before the ventilation took place, the number of deaths to that number of children, would have been 1,632. To save the lives of more than 1,400 human beings in three years, by merely putting in a few pipes! Can any one say there is nothing in ventilation, after such facts as these?—*The Horticulturist.*

The Fugitive.

Mr. Editor: The following address was found in the hands of a Fugitive Slave somewhere north of Mason & Dixon's line concealed in the branches of a Christmas tree, in December last.

Thinking it too good to be lost, I send it to you for publication:

I'm a poor panting fugitive—pray let me in,
I have done nothing wrong, I've committed no sin;
But they hunt me to get themselves office and pelf,
For daring to claim my own right to myself.
I escaped long ago, and for many a year,
Have lived in such quiet I thought not of fear;
At last a good Quaker came one rainy night,
And told me to get myself ready for flight,
For he'd heard that kidnappers were prowling about,
And the place I was hiding in they had found out.
So he gave me this notice and got me off clear,
And said I'd be safe with the kind public here,
But how strange their *own fugitives* they should hunt down,
While the *outlandish* ones with all honor they crown!
They are trying to hang the good men who help us,
While they feast and admire one a hundred times worse,
For both *traitor* and *fugitive* he can be proved,
Who in war and distress plunged the land that he loved.
Who rebelled against his king, (I don't know what 'twas for,
But suppose he'd a notion of some *higher law*),
But then he is *white*, which quite alters the case,
While my head is *woolly* and *black* is my face,
And of course it must be disgrace and a sin,
For a man to be born with such a terrible skin.
But if in this world we are so benighted,
There's another to come where all wrong will be righted;
For tho' here you may scorn and abuse the poor slave,
We shall all be alike that side of the grave;
And tho' man may regard but the hue of the skin,
God looks not at that but the heart that's within.

—*Syracuse Star.* J.

Gleanings from Foreign Publications

Madame George Sand is in retirement in the province of Berry, and is at present engaged in preparing "Memoirs of her Life" for publication.

——The mother of M. Thiers has just expired at Batignolles, where she has long resided on a pension allowed her by her son. M. Thiers was the only child of this lady, although his father had other children by a former marriage.

——Mr. Macaulay, it is said, has delayed the publication of the third and fourth volumes of his "History of England" in consequence of his having obtained some new information relating to King William III.

——A Correspondent of the *London News* writes from Vienna: "Very lately here a peasant was seen to laugh as an Austrian detachment (one thousand strong) was marching past. The officer in command saw the insulting demonstration, halted his party, placed the peasant against an adjoining wall, and then defiling his men in single file, ordered them to *spit* in the man's face as they marched past!"

——Absence of Mind.—Mr. Imlach, late minister of the Muirhouse, near Dundee, was remarkable for his absence of mind. In his prayer one day he said, "O Lord! bless all ranks and degrees of persons, from the king on the dunghill to the beggar on the throne." Then recollecting himself, he added, "I mean from the beggar on the throne to the king on the dunghill."

——Several of the French refugees have already sought shelter and protection in England; among the number M. Thiers and General Changarnier. A considerable body, however, are still at Brussels, where some of the most eminent writers of France—including, amongst many others, the names of M. Victor Hugo and M. Emile Girardin—are about to publish a journal, to be called the *Bren Etre Universel*, which (*credat Judæus*) is to keep clear of politics.

——For fourteen millions sterling, if anybody will give it him, (says the *London Weekly News*) M. Hureau intends to lay a railway in the bed of the sea between England and France. The road is to be inclosed in a tube similar to that which crosses the Menai Straits—and, if we understand the particulars, the tube is to be fastened down in its bed by huge iron pins, at intervals of a mile, throughout the twenty-one miles of its sub marine course, which pins will perform the further service of carrying lights on their heads at night to warn ships against anchoring over the railway!

——There's Nae Luck about the House."—The writer of this popular song, according to Weir's "History of Greenock," was Jean Adams, born about 1710. She became a schoolmistress—gave Shakesperian readings to her pupils, and admired Richardson's "Clarissa Harlowe" so much that she walked to London to see the author. Jean Adams published a small volume of poems, printed at Glasgow, in 1734, which met with little encouragement, and a large portion of the edition was exported for sale to Boston, in America. Towards the close of her life she became a wandering beggar, died in the poorhouse of Glasgow on the 3rd April, 1765, and "was buried at the house expense."—*Willis's Current Notes.*

——An Example to be Followed by Reasoners.—He had a method of putting things so mildly and interrogatively, that he always procured the read